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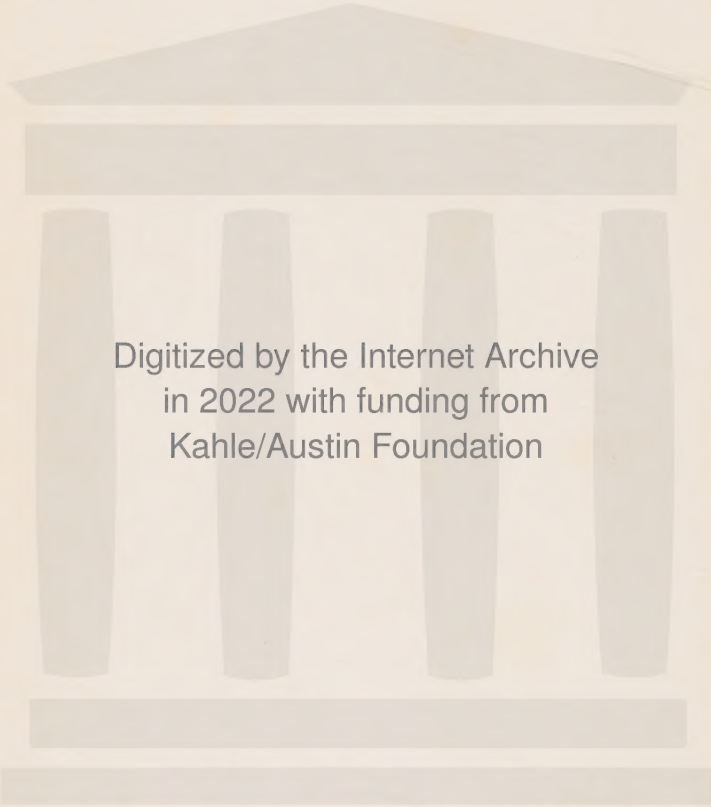
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CAPTAIN RICHARD DERBY

1712-1783

From a copy by Weir, after the portrait by Col. Henry Sargent

THE LIFE AND TIMES
of
RICHARD DERBY

MERCHANT OF SALEM

1712 to 1783

BY
JAMES DUNCAN PHILLIPS

Compliments of
JAMES DUNCAN PHILLIPS

sfield, Massachusetts

CAMBRIDGE
THE RIVERSIDE PRESS
1929

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The Riverside Press
CAMBRIDGE · MASSACHUSETTS
PRINTED IN THE U.S.A.

THE LIFE AND TIMES
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MERCHANT OF SALEM

Almost all the books and articles about Salem tell of the founding of the city by the Endicott colony and of the early troubles of the colony. The witchcraft delusion, which came and went in a few short months, is given most disproportionate emphasis. The writers then skip glibly on to the War of the Revolution and the great outburst of commerce which followed, and which made Salem and Massachusetts rich and powerful. What was happening from the time of the witchcraft delusion till Leslie retreated from the North Bridge is largely overlooked, but not for one instant can it be believed that witchcraft prepared for revolution, or that ships and sailors burst forth, fully built and trained for foreign commerce, from the otherwise unfertile soil of New England.

There have been a number of Richard Derbys in the course of Salem's history, but the subject of this paper is the shipmaster, merchant, and patriot, Richard Derby, who was born in 1712 and died in 1783. During these seventy-one years America grew from a scattered group of colonies, clinging precariously to the Atlantic seaboard, to a free and independent nation; from a group of fishing villages and farming plantations to a world-wide sea power not to be despised by European nations then, as in 1918, engaged in a life-and-death struggle for supremacy.

Richard Derby was the son of a Captain Richard, who was the son of Roger, who landed in this country, in Boston, in 1671 and settled in Ipswich. This Roger, born in 1643, came

from Topsham in Devonshire, which is near Exeter, and according to Perley Derby, he may have been the son of a Roger of Somerton, Somersetshire, who was an Oxford graduate and an ordained clergyman, or he might have been the son of Richard Derby and Alice Lackland Derby, as Sidney Perley says.¹ Anyway, he arrived in Boston July 18, 1671, and in January, 1672, Roger and his wife Lucretia Hillman, whom he had married in England, bought a place of two acres on Hill Street, Ipswich, and four acres of farmland, for one hundred pounds, and settled down. One child came with them from England; seven more were born here. He was a soap-boiler and shop-keeper, and he was also a non-conformist of a serious nature, probably a Quaker, for he soon got into trouble. Beginning in November, 1674, he was haled into court again and again for not coming to meeting. At first he was fined fifty shillings, then at the rate of "five shillings per week till they do attend," and then another fifty shillings. In September, 1676, Robert Lord, the marshal, seized his four acres of land to satisfy these fines, and less than two months later he was again fined forty shillings for non-attendance. Whether on account of this persecution or otherwise, he moved to Salem in 1681 and bought a farmhouse, which stood about where the Public Library now stands, from John Darland, for twenty-seven pounds. He carried on the business of a tallow chandler in an old soap-house which stood about where Monroe Street runs through to Federal Street,² and also that of a shop-keeper near the foot of Norman Street. Here he had a stock of Bibles, Testaments, and Psalters.³ The tombstones of Roger and his first wife Lucretia are still to be seen in the old South Danvers Burial Ground on Boston Street.

In his will, which disposed of an estate of four hundred and seventy-six pounds, he gave his house to his widow, who was one of the Haskets (mentioned later). She lived till 1740 and probably occupied the house during the boyhood of our Richard. After her death it descended to the children of the son

¹ *History of Salem*, III, 147.

² Perley Derby, "Genealogy of the Derby Family," *Essex Institute Historical Collections*, III, 155.

³ Perley, *History of Salem*, III, 128.

Samuel, then dead. John received the "warehouse, lentows and warfs,"⁴ and Richard, the father of our Richard, got the "sope house" and twenty pounds when he came of age. It must be remembered that there was a step-mother in the case, and if any of the children "should contend without just cause they are to lose their parts."

Our Richard's grandfather, therefore, tried to make a soap-boiler out of his son, but instead the son became a mariner. He was born in Ipswich in 1679, over two years before the family moved from Ipswich to Salem, where his boyhood was spent.

In 1700, while he was a member of the crew of the brigantine *Beginning*, chartered to Philip English and others for a voyage from New Providence to London with brasiletto wood and molasses, she sprang a leak and had to head for Salem. We should not know this except that the captain, Thomas Marston, and he happened to sign the ship's protest. She seems to have been a pretty rotten old craft. We know nothing further about him except that he was one of the pilots of the Port Royal expedition in 1710, and married Martha Hasket, February 25, 1702-3. They had eight children, four of whom grew up, and he died in 1715 at the age of thirty-six. His young widow was a sister of her step-mother-in-law, and it is a fair guess that, on account of the double relationship, Richard grew up in the old homestead near the corner of Monroe and Essex Streets. The family was probably very poor, as there is no record of any estate being settled after the death of this first Richard.

The step-grandmother was the oldest of seven children and a widow when she married, and the mother was the youngest of the seven, but the mother was married only eleven years after the step-grandmother.

The Haskets were the daughters of Stephen Hasket, who came over in 1664, when thirty years old, from Henstredge in Somersetshire, and was a soap-boiler with a house on what is now Howard Street, down toward North River.⁵ He had been town constable in 1670 and, at the same time, held a license to retail strong waters out of doors, whatever that may

⁴ See Perley, *History of Salem*, II, 357, Corwin's Wharf.

⁵ Perley, *History of Salem*, II, 321.

mean. It would seem to mean the legal predecessor of the present bootlegger. In 1680, he signed the petition for a new and larger meeting house, and in 1683 his county rate was six shillings, when the highest in town, and the only one above a pound, was that of William Browne, who paid three pounds, six shillings. Roger Derby paid only four shillings.

Hasket was evidently a man of definite opinions, like his grandson, for he made certain remarks about Captain George Corwin which so nettled that worthy gentleman that he complained to the General Court. The remarks must have been pretty bad, for on November 3, 1675, the Court, "considering the high reflections and scurrilous imputations cast upon Capt. George Corwin joined with notorious scandal raised upon said court and contemptuous expressions relating to the major general," condemned him to apologize to Corwin in public and pay the heavy fine of fifty pounds. Hasket thereupon humbly submitted himself to the court and the fine was reduced to twenty pounds.⁶

Hasket had five children besides the two girls who married the Derbys, and among them was an Elias Hasket, who was born in 1670, apparently in America, but he was probably a nephew of that Elias Hasket who lived in London and was the governor of Providence in the Bahama Islands in 1701-2. He had the title of Colonel and appears to have been quite a man.⁷

When Richard Derby was born in 1712, his grandfather Hasket had been dead three years and his grandfather Derby about fifteen. His grandmother Hasket soon married again and left Salem, but his combination step-grandmother and aunt Derby continued to live in Salem for many years. His father died when he was three years old, so he evidently grew up largely under the care of his energetic mother, though he had eight or ten uncles and aunts living in the vicinity, some of whom were married before he was born, and others as late as 1718. Among his uncles by marriage on the Derby side were Captain Joseph Flint and Joseph Bolles, of Ipswich, Thomas Palfrey and William Osborn. His bro-

⁶ Perley, *History of Salem*, III, 75.

⁷ See "Notarial Records of Essex County Clerk," *Essex Institute Historical Collections*, XVI, 102.

thers and sisters were also about his own age, as he was the third child of the family. There were only nine years' difference between the eldest and the youngest, and the sisters came alternately with the brothers. John and Mary were the older ones and only a year apart, while four years later came Richard and Martha about two years apart. It is easy to see that the latter two must have been the playmates, while the older pair rather looked down on them after the manner of older brothers and sisters.

We know little of Richard's early life and training. In fact, he does not appear on the horizon at all till we find him bound for Cadiz in 1736 as the full-fledged captain of the sloop *Ranger* with a cargo of fish, but of the surroundings of his early life we can get a good idea by considering the events which were happening in the world in general and in Salem in particular.

NEW ENGLAND IN DERBY'S BOYHOOD

The seventeenth century was a period of almost constant war in Europe. During the one hundred and twenty-six years from 1689 to 1815, France and England were at war for more than half the time. After four years of peace, the War of the Spanish Succession burst out in Europe in 1701, and that portion of it known in America as Queen Anne's War alternately flared up and flickered down for eleven years till it was brought to a close by the Treaty of Utrecht in 1713. From Maine to Carolina the Indian raiding parties, urged on by the French, harried the frontier. In 1704, Deerfield was destroyed, and in 1708, Haverhill was surprised and partly destroyed. In 1709, an expedition planned against Acadia, for which the colonists had enlisted troops, was abandoned by the British Government to the great loss of the New England colonies, and the following year Annapolis or Port Royal, as it was then called, in Nova Scotia, or Acadia, was captured by a British fleet. This was the expedition on which Richard Derby, the father of our Richard, was sent by the colony with at least eight or ten other Salem captains to serve as pilots, and the sheriff impressed twenty-seven Salem seamen for the expedition.

Into this atmosphere of war, Richard Derby was born in

1712, and one year later the next intermission was ushered in by the Peace of Utrecht. Nova Scotia had been taken, but not Quebec, and the treaty gave Nova Scotia to England with vague boundaries in New Brunswick, then considered a part of it. This peace lasted for twenty-five years or more, but the seeds of trouble were present in the French hold on Quebec and the doubtful boundary in Maine. In fact, the whole boundary — from some doubtful point near the Gulf of St. Lawrence, vaguely following the height of land between the St. Lawrence and the southward-flowing rivers — was all doubtful, and the Indians were the medium used by both sides to drive the actual frontiers of their enemies backward. Most of the Indians in New England were more friendly to the French than to the English, and hence the contest for the next few years was rather one between the English and the Indians than with the French.

Maine had but a thin fringe of infrequent settlements on the coast, but the settlers were pushing up the Kennebec, and the French viewed with alarm the closing of the gap between the New Hampshire seacoast towns and the New Brunswick settlements which would shut them out from the Atlantic coast.

Sebastian Ralle had been for some years a French Jesuit missionary to the chief Indian settlement at Norridgwock.⁸ He was a politician as well as a priest, and was charged with the duty of seeing to it that the Indians made it difficult for the Kennebec colonists, till, in 1724, Massachusetts lost patience and sent out an expedition against Norridgwock, which cleaned it out with Puritan thoroughness, and the Indians who were left retired to the Chaudière. Ralle was killed, and, though shot with a gun in his hands resisting capture, his death caused a bitter protest from the Governor of Canada. In the same year Dunstable was attacked and pillaged by the Indians and Massachusetts organized the first rangers, who ranged the country from the settlements toward Canada to keep down the Indian raids, on the ground that a good offensive is the best defense. Captain Lovewell, the best known of these rangers, wiped out the fighting strength

⁸ See Governor Shute's letter, *Massachusetts Historical Society Collections*, 1st Series, V, 112, and 2d Series, VIII, 245-58, 266.

of the Pequawket Indians of Conway in a notable fight, where the town of Fryeburg, Maine, now is, but most of his men fell in the fight. A lot of early New England ballads of doubtful literary value commemorate this famous fight, and no doubt Richard Derby, then twelve or thirteen years old, learned them by heart; as, for instance, this one which has a sort of echo of the "Ballad of Chevy Chase" about it:

"Then spake up Captain Lovewell, when first the fight began,
'Fight on, my valiant heroes, you see they fall like rain!'
For, as we are informéd, the Indians were so thick,
A man could scarcely fire a gun, and not some of them hit.

"Our worthy Captain Lovewell among them there did die.
They killed Lieutenant Robbins, and wounded good young Frye,
Who was our English chaplain: he many Indians slew,
And some of them he scalpéd, when bullets round him flew."

This "good young Frye" was betrothed to Susanna Rogers, of Boxford, who wrote a lament worthy of Anne Bradstreet, which begins:

"Assist, ye Muses, help my quill
While floods of tears does down distil,
Not from my eyes alone, but all
That hears the sad and doleful fall
Of that young student, Mr. Frye,
Who in his blooming youth did die."⁹

I doubt if any live boy would have learned Susanna's lament, but Richard certainly knew what was going on. It was talked of at home and on the street, and I suspect that the boys, instead of playing Indians, played the game of scalping Indians, which was the popular pastime then.

EDUCATION IN SALEM

It must not be inferred that this youth was permitted to grow up uneducated. Even if Salem had only about twenty-six hundred inhabitants, it was interested in education. In 1712, a school committee was appointed, for the first time in the town's history, "to procure a suitable grammar school master for ye instructing of youth in Grammar learning and to fit them for ye Colledge and also to learn them to write and

⁹ Fiske, *New France and New England*, 248.

cipher and to perfect them in reading.”¹⁰ The old watch-house was voted for a writing school under Nathaniel Higginson, and John Barnard was engaged to teach the Grammar School at fifty pounds a year. All boys who could afford to paid eight shillings per year, and the balance was raised by rent of the islands and other public lands, and by income from the bequests of the Brownes and other early believers in education.

About the time that young Derby first went to school, assuming he went at the age of six, the town, having just bought a stove for the school at an expense of £8-2-1, could not find a teacher, and lest the town be fined, Colonel Browne advanced eighteen shillings to send Mr. Pratt off on horseback to Cambridge to get one; so John Nutting took charge of the fifty-four pupils and the hickory stick on July 23, 1718. It is a fair guess that Richard Derby was one of the youngest of the fifty-four. Eleven years later, the worthy Mr. Nutting had his salary raised twenty pounds, to the princely sum of ninety pounds. I suspect that Derby got all the schooling he ever had from this Mr. Nutting, for he doubtless went to sea by the time he was eighteen years of age, and did not benefit by the very generous gifts to the schools made by Samuel Browne in 1729.¹¹

In 1718, the old court-house, where the witches had been tried, was replaced by a new one on Essex Street, next to and west of the First Church.¹² School was kept in the first story of the old court-house, which stood in the middle of what is now Washington Street, near the head of the north end of the tunnel. After the new court-house was built, the old building was devoted entirely to school purposes, and undoubtedly young Derby went there. The boys, inspired by the judicial setting, once amused themselves reënacting the witchcraft trials on one unfortunate playmate, when the teacher unexpectedly appeared and laid about him right and left, exclaiming, “I’ll teach you how to try witches once for all.”

¹⁰ Felt, *Annals of Salem*, I, 440.

¹¹ See Bentley, *Massachusetts Historical Society Collections*, 1st Series, I, 240.

¹² Felt, *Annals of Salem*, I, 391.

SALEM IN RICHARD DERBY'S YOUTH

The town that young Derby grew up in was a very different place from what it is now, or even what it was in 1800. Just wander down to the back of the Charter Street Burying Ground, or "Burial Point" as it then was. Imagine a little pebbly beach at your feet, with a ten-foot way running parallel with the shore, and some shops and warehouses straggling along it. Then look across to where the land rises on Lafayette Street. All between is water, deep enough in the center for vessels of twelve or fourteen feet draft to lie at anchor; then follow the shore line to your right along to the mouth of the present tunnel. The shore draws back immediately to the line of the present Front Street, which was literally the water-front, with little wharves reaching out to the channel. The Brownes and the Corwins had interests along here, and their boats lay at anchor just about where the flagman stands to-day to flag the trains. Farther along toward where Norman Street ran down to the water was a wharf on which Roger Derby, the original emigrant, probably kept his shop from 1689 till toward the end of his life in 1698. At any rate, George Corwin sold him half the two-story building and wharf on July 13, 1689, and he is recorded as a shopkeeper. Other little wharves lined the edges of the creek, which reached back up Creek Street. There was a wharf about where now is the Doyle house garden and others along the shore beyond the creek around to where the road down Mill Hill now crosses the railroad track. At that point a mill dam had been built in 1664, with the condition that the owner maintain a way across the dam. From there the shore of the south fields extended along the line of New Derby Street to the site of the Naumkeag Mills, and then beyond about as now. It is well to note what a nice basin this made for small ships and for shipbuilding. In fact, the expression "Knocker's Hole," which still hangs around the vicinity of High Street, originated in the pounding of the caulkers' mallets in the old shipyards.

The old town rambled all over the peninsula between the two rivers, narrow streets taking off on either side of the Main Street, now Essex Street, and running down to the water

at irregular intervals. The more thickly settled part was between Essex Street and Derby Street below Central Street. The churches and public buildings were around Washington Street, to be sure, but houses were thickest nearer the wharves. The Roger Williams house was a farm on the outskirts, as was the Pickering house on Broad Street. There was a beacon on the hill where the Broad Street Burying Ground now is. Any one of a dozen little villages out on a peninsula along the Maine coast with a row of old houses on the main street, and smaller houses on the lanes leading down to the old wharves, will give a good idea of Salem as it was in 1720.

If from the original point at the Charter Street Burying Ground, you had looked eastward, you would have seen the wharves of the Higginsons and the Gardners, near the foot of Elm Street, and one belonging to William Bowditch on which he had built a brewery before he sold it to Peter Osgood in 1721. There was, perhaps, a cart track, but no continuous permanent public way along the water-front nearer than Essex Street, nor many lanes leading down till you got to Turner Street. Near the foot of Becket Street, Abraham Purchase owned the wharf in about 1728. He was a blacksmith, and, as his property adjoined that where Becket had his wharf and shipyard, he probably turned out the iron fastenings for Becket. At the foot of English Street was the Hollingsworth Wharf. William Hollingsworth was one of Salem's earliest merchants, and his daughter Mary married Philip English, who carried on the mercantile tradition. The wharf was conveyed to her in February, 1684-5, and it was from there that Philip English undoubtedly sent out his ships. Richard Derby bought it in 1748 and used it; later it became successively Crowninshield's Wharf and Phillips's Wharf.

In 1700, there seem to have been two business centers; one around the basin where the railroad station now stands, and another around the foot of Becket and English Streets. No doubt there were little homes scattered along between, but there was quite a group of houses along English and Becket Streets, including English's "Great House," with the overhanging eaves and many gables. On the northerly side of Essex Street, there was a row of houses between the creek which drained the swamp, which is now the Common, and Essex

Street. The best of these was the Babbidge house, part of which still stands, which was bought by Richard Derby in 1757 and left by him to his daughter Mary Crowninshield in 1783.

The Common had been set aside in 1713 as a training field forever, but it had not then been drained or leveled. In fact, it was a swamp with several small ponds and a creek running down to Collins Cove. Across Essex Street, where the Hawthorne Monument now stands, there was a shipyard which launched its vessels into a little creek that made in from South River. Beyond the Common a road ran down on an irregular line to the landing near where Beverly Bridge now stands, from which the ferry to the Beverly shore left. Somewhere on the point at the foot of March Street, a windmill for grinding grain waved its ungainly arms in the air, no doubt closely resembling those you still see in England, such as that at Headcorn or Tenterden in Kent.

The Neck had a palisade across it, and there was a fort, called then "Fort Anne" or "Queen's Fort," where Fort Pickering stands, over the maintenance of which town and colony constantly quarreled. Winter Island had been set aside wholly for the use of fishermen in 1713, and so continued for many years. There were some wharves on the North River and Pickman's fish flakes were located along that side of the town. They no doubt lent a fragrance to the atmosphere which is perpetuated by the North River of to-day.

Between 1700 and 1714 there were registered in Salem four ships, three barques, nine brigs, twenty-four sloops, and nineteen ketches, which ranged from fifteen to ninety tons burden, fifty-nine in all, of which forty were built in Salem. Ships were also built here for other merchants, notably the *Unity*, of two hundred and seventy tons, for Boston and London people.¹³

We should not take away any idea that even by 1736, when Richard Derby arrived at manhood, the town was a luxurious place with wide paved streets and carriages dashing about. In 1737, when the first carriage tax was assessed in the provinces, out of six coaches, eighteen chariots, three hundred

¹³ Felt, *Annals of Salem*, II, 252.

and thirty-nine chaises, and nine hundred and ninety-two chairs and calashes in all Massachusetts, Salem had but ten chaises and forty chairs, or only fifty vehicles of all sorts for passengers for a population of perhaps one thousand families. There was no regular conveyance to Boston till 1761, when a stage from Portsmouth began to run *via* Salem once a week, and a special stage to Boston did not run till 1766. A post-rider who carried mail from Boston eastward through Salem had probably been established before 1700, but even as late as 1773, mail came from Boston only once a week, arriving Tuesday by rider *en route* to Portsmouth, and returning Friday.¹⁴

Persons could not vote unless they paid a poll tax and owned at least twenty pounds in the town where they voted. It was a sensible provision to require that a man should have some stake in the town which he was helping to govern, and twenty pounds was surely not an excessive sum even for those days.

There were no constables or police in Salem of the early eighteenth century. A bellman walked the town from ten o'clock at night till break of day, armed with a spear and hook, and "did his endeavor to prevent fire or mischief any other way, and to prevent any disorder in ye town." There was a watch-house in the schoolhouse lane surmounted by a figure of the bellman, which was repainted in 1725. The old bellman, John Meacham, received the princely salary of thirty pounds per annum, probably in depreciated currency, and cried the weather and the hour throughout the night.

In 1720, most of the larger houses in Salem were still of the many-gabled variety, such as the Pickering house, and the Deliverance Parkman house, now no longer standing, but well known from its pictures. These were characterized by overhanging stories, small leaded-glass casements, clustered chimneys, and many gables. The so-called gambrel roofs came in twenty years later. The Benjamin Pickman house, erected in 1743, still standing just west of the East India Marine Hall, was an early example of the new type. Few three-story houses were erected before the Revolution. The earliest brick house in Salem was built on the corner of Essex

¹⁴ Dow, *Two Centuries of Travel in Essex County, Massachusetts*, 77.

and Crombie Streets in 1707, and there could not have been many by 1725, as there were only thirty-nine in 1825.¹⁵

With this cursory view of the town of Salem as Richard Derby knew it as a boy, let us turn back to his career once more.

EARLY MANHOOD

Richard rapidly grew to manhood, and no doubt like all the young men he sailed a boat, joined in fishing excursions, and perhaps went off on deep-sea fishing trips, which brought a knowledge of ships and of sailing, and the sturdy self-reliance he was to need so greatly in years to come. We do not know when he first went to sea in a deep-sea ship, nor do we know when or where exactly he got his experience, but he became independent as a very young man. On February 3, 1734-5, he was well enough along, though only twenty-two years old, to take unto himself a wife, and he married Mary Hodges, the granddaughter of George Hodges, a mariner who came to Salem before 1663, and lived there all the rest of his life. Mary was the oldest daughter of his son Gamaliel, and was born in 1713, just a year after her husband. These Hodgeses were noted for their great height, and the story is told that when the shortest of six brothers was captured by a British frigate and his size remarked upon (he was six feet six), he replied that he was the shortest of six brothers. The record does not say how tall Mary was, but she and Richard were cheerful young adventurers of twenty-one and twenty-two to embark on the sea of matrimony together, and their first child Richard was born in 1736.

On September 18, 1735, just a few months after his marriage, Richard Derby purchased from Deacon James Lindall "sixty poles of land containing a dwelling house, bake house, shop, barn and outhouses bounded southerly by the river to low water mark, westerly on a lane, northerly by land of Pickman, and easterly by land of Hasket."¹⁶ It is well to note the abutting land of Pickman and of Hasket, and to remember that Richard's mother was a Hasket. In 1739, Richard bought twenty-two and six tenths poles from Benjamin

¹⁵ Felt, *Annals of Salem*, I, 415.

¹⁶ Registry of Deeds.

Pickman, being some part, and perhaps the whole of the land to the north, and in 1741, he bought of Samuel and Nathaniel Swasey about half an acre more near his dwelling house. This may have been the lot granted to John Swasey in 1652.¹⁷ In 1742, Derby began to buy up the individual interests in the Hasket estate, and by 1748 had nearly all of it. In 1748, he also bought the Philip English property of one and a half acres on English Street, which included a dwelling house, warehouse, and wharf, and ran to the harbor. But his main block of land lay east of Union Street and ran to the water, and contained perhaps two acres. As the so-called Richard Derby house was not built till 1761, he certainly lived about twenty-five years in some other house on the property, and most probably in the James Lindall house.

In 1736, at the age of twenty-four, Richard was sailing as master of the sloop *Ranger* on a voyage to Cadiz. It is very unlikely that he made this trip before going on at least one deep-sea voyage as mate, and perhaps on several fishing voyages as a seaman, so his nautical experience doubtless began at the age of sixteen at least.

The *Ranger* was loaded with fish and manned by four men and a mate besides her youthful skipper. She arrived safely in Spain, exchanged the fish for fruit, oil, and miscellaneous goods, and got back to Salem early in May. She made a similar round trip in the autumn to the same ports, and no doubt with equal success.

The very year that saw the entrance of Derby into commerce saw also the end of the career of Philip English, who was probably the richest man in New England at the close of the seventeenth century. In 1692, English had twenty-one vessels trading with Bilboa, Barbados, St. Christopher, the Isle of Jersey, and the ports of France.¹⁸ He was a man of brains, ability, and energy. As late as 1722, he was shipping goods to Barbados by his sloop *Sarah*, John Touzel, master, and no doubt continued down to Derby's voyage, the year of his death.

It must be remembered that the twenty-seven years of peace which had begun with the Peace of Utrecht were just

¹⁷ See Perley, *History of Salem*, I, 314.

¹⁸ Paine, *The Ships and Sailors of Old Salem*, 24.

drawing to a close at this time with the outbreak of the War of the Austrian Succession, which lasted from 1740 to 1748, but for these first few years of Derby's maritime life, the seas were still peaceful, though these voyages were entirely contrary to the technical laws of trade. The *Ranger* was small, however, and her hailing port was very far away from the Lords of Trade, and fish were not specially wanted in England. His Majesty's Government was not especially looking for trouble, as the London merchants regarded the trade of the colonials then as too insignificant to matter much, but let us take a brief review of what the real rules of the game were.

BRITISH LAWS OF TRADE IN THE EIGHTEENTH CENTURY

The general theory of trade with colonies has so entirely changed since our Revolution that it is well to see just what kind of economics our forefathers were laboring under. In 1668, Sir Joshua Child, Chairman of the British East India Company, made a statement which gives the attitude of mind perhaps as clearly as any. Adam Smith¹⁹ and John Stuart Mill had not yet shed the light of reason on the subject of foreign trade, nor had the amateur economists of the twentieth century begun to shade facts with sentimental nonsense; but Child had a point of view of his own which was intended to represent pure selfishness, and failed as pure selfishness usually does. The only way to prosper is to make men around you prosperous, and not to make them poor. Child's statement was this:

Of all the American plantations His Majesty has none so apt for the building of ships as New England, nor none comparably so qualified for the breeding of seamen, not only by reason of the natural industry of the people, but principally by reason of their cod and mackerel fisheries, and in my opinion there is nothing more prejudicial and, in prospect, more dangerous to any mother kingdom than the increase of shipping in her colonies, plantations or provinces.²⁰

It might have been expected that some narrow-minded men should hold such ideas, but the misfortune was that they were held by Parliament and written into the laws of the nation. By the Act of 1660, goods from Asia, Africa, and America

¹⁹ *Wealth of Nations*, Book IV, Chapter 1.

²⁰ Paine, *The Ships and Sailors of Old Salem*, 29.

could be brought to England only by English or colonial vessels and must come directly. No foreign vessels could take their own goods to the colonies, and certain products of the colonies, like sugar, tobacco, cotton, ginger, indigo, and dye woods, could be taken *only* to England or English colonies, regardless of whether the prices to be obtained there were the best or not. Apart from this final restriction, this first Navigation Act of 1660 was not particularly injurious to the colonies, but the second Act of 1663 was more particularly planned to help the English manufacturers. No European goods could be brought to the colonies unless they were first landed in England, except salt, wine from the Azores, servants, horses, and victuals from Scotland and Ireland. The preamble distinctly outlines the reason, which, while well enough from the English point of view, could hardly have pleased the colonies, namely:

For the maintaining of a greater correspondence and kindness between them and keeping them in a firmer dependence upon it [i.e., the mother country] and rendering them yet more beneficiall and advantageous unto it in the farther Employement and Encrease of English Shipping and Seamen, Vent of English Woolen and other Manufactures and Commodities — and making this Kingdom a Staple not onely of the Commodities of those Plantations but alsoe of the Commodities of other Countreyes and Places.

It will be seen that this Act tied all trade of the colonies to England, as all importations must be transhipped there, and Richard Derby's two trips to Spain were in direct violation of it so far as most of the homeward cargo was concerned.

The third Navigation Act of 1672 prevented trade between the colonies on enumerated articles except on payment of the same duties as were exacted when goods went to England. The surplus of fish in New England was at the root of the trouble with this Act. Refuse and pickled fish brought a good price in the West Indies — it was not so valuable in England — but this Act prevented the acquiring of a return cargo of salable merchandise, except perhaps molasses.

The colonists, it is true, could send their fish or anything else, except the articles enumerated in the first Act, to Spain or other foreign countries, but the return cargo must go to England for reshipment. America was a long way off, how-

ever, and the royal arm was weak from stretching, so little or no attention was paid to the regulations. But Act followed Act pretty frequently after 1672, tightening up the enforcement. Royal governors and naval officers were held to greater responsibility in the enforcement of them, and all the time the restrictions were increased. Rice and molasses were placed on the enumerated list of articles which could be exported only to England, so the colonists took to trading with the Dutch and French West India colonists instead, till the Molasses Act of 1733 was passed to stop them at the request of the West India planters.²¹

This trade was vital to the colonists because it supplied a market for the refuse codfish, and the success of the fisheries depended on the sale of refuse fish as well as on the sale of first-class fish, which could be disposed of in Europe, for both were products of the same trips. The fish for which they had no market was exchanged for molasses, an equally waste product of the West Indies,²² but one which the colonists of New England made of value by distilling it into rum. The penalty for violating the Molasses Act was confiscation of the vessel, but the trade went on without effective interference for thirty years.²³

In 1741, Massachusetts had about three or four hundred ships in the fisheries which brought in about two hundred and thirty thousand quintals of seven hundred thousand dollars' value.²⁴ Three or four thousand men earned their livelihood in this way, and the surplus by-product was a real reason for pushing the molasses trade.

It was very difficult to enforce these laws on the open sea. The Eighteenth Amendment is by no means the first law which has found the open ocean a pitfall. Who was to know if a Gloucester fisherman acquired a cargo of French goods on the Grand Banks instead of fish? And little French or Dutch traders among the leafy islands of the Caribbean, hobnobbing with New England vessels which had discharged their fish

²¹ Robinson, *Development of the British Empire*, 123.

²² Especially of the French West Indies, which were forbidden by their laws to send it to France. McClellan, *Smuggling in the American Colonies*, 38.

²³ Lorenzo Sabine, *Report on the Principal Fisheries of the American Seas*, 135.

²⁴ *Ibid.*, 131.

at Barbados and were ostensibly coming home in ballast, were not easily detected.

The increase of manufacturing in the colonies, however, was always watched with jealous eyes in England. In 1708, one of the crown officers wrote to the Board of Trade that one hundred and fifty-five dozen wool cards and many wool combs had entered New England as wrought iron, and the importation of woollen goods had fallen off, "which must proceed from this trade of making their own cloth . . . and if not prevented will increase." "Not one in forty but wears his own carding, spinning, etc. If the growing trade of woollens be no way prevented in its growth, England must lose the woollen export to all this part of America."

In 1742, a petition was laid before the Board of Trade by sixteen master shipbuilders of London against the encouragement of shipbuilding in America, because their journeymen were drawn away to New England and there would not be enough ships for the Royal Navy in case of need.

It was William of Orange who made the first real move to enforce the Navigation Acts. Though passed under the Stuarts, their government was so weak that few results were secured, but under William was organized the Board of Commissioners for Trade and Plantations, commonly known and hated by the colonists as "The Board of Trade," though it accomplished really very little, while the Privy Council, the Secretaries of State, and the Treasury Department, with its auditor-general of the plantation revenues and commissioners of customs, all had a hand. The Treasury ultimately made rather more trouble for the colonists than any of the others. It was the deadly tightening-up of the system that led to the trouble rather than an increase in the severity of the laws themselves. The laws of 1700 were severe enough to make trouble, but nobody paid any attention to them. As we all know, the Volstead Act is the same, but it is getting more expensive to get a drink, or, in other words, harder. That is what is causing the outcry now. The more the law is enforced, the louder the cry that it can't be.

The row over Writs of Assistance or search warrants issued to help the collectors find contraband goods was the result of new efforts in 1761 to enforce the laws of trade. A new ele-

ment at about the same time was interjected by the attempt, not only to regulate trade to benefit the mother country, but to extract revenue to help pay for the expensive wars of the middle of the century, and the Sugar Act of 1764 not only continued the odious but largely obsolete Molasses Act of 1733, but was planned to make it yield a revenue. The Townshend Acts of 1766, which included the Tea Act, were also passed primarily to add to the revenue.

This is a general sketch merely of the quarrel over the laws of trade and should not be confused with the entirely separate quarrel over taxation without representation and personal rights, which involved the constitutional rights of Englishmen, whether at home or abroad, and was brought on by the Stamp Act and the Quartering Act. It is true that the laws of trade, and particularly the Townshend Acts which initiated the "Tea Party," were soon involved in the taxation quarrel, but the dissatisfaction over the trade laws did not have its origin in the dislike of taxation by Parliament, but rather in a wrong use of that power to help the home merchants and the planters of the British West Indies.

Massachusetts and even Salem had their own particular quarrels with the mother country during the eighteenth century, two of the most amusing of which were the attempt of the colony itself to do a little legislating on trade, and the resistance to the Greenwich Hospital Tax. In 1718, the General Court calmly laid a duty on English goods and a tax on English-built ships, which caused the Lords Justices "to express their great displeasure." Governor Shute hoped that it would be repealed at the next session, and it was. It was probably never enforced, but it was certainly an exhibition of most unexampled "nerve." Equally stupid was the attempt to levy the sixpenny Greenwich Hospital Tax on the coastwise fishermen in 1733. No doubt the wording of the Act did make it apply to all British seamen, and there might be a vague excuse to demand it of seamen sailing to London, but to demand it of Salem, Gloucester, and Marblehead fishermen, who would never by any chance use the hospital — in fact, would probably die long before they reached its shelter — was silly enough to penetrate even the phlegmatic British mind, and no further attempt to collect it was made till after 1760.

TRADE TO THE WEST INDIES

In the middle of the eighteenth century, trading with the Spanish, French, Dutch, and Danish islands of the West Indies was prohibited, but a little astute management could secure a registry to suit the occasion, and the colonial vessels became temporarily accredited to the nation they wished to trade with. As the French export duties were one per cent and the English four and a half, they naturally preferred the French.²⁵

Derby's first voyage to the West Indies was in the winter of 1739, when he went as master of the schooner *Ranger* to St. Martin's in the French West Indies and sold his cargo for twenty-one hundred and seventy-eight pounds. His sailing orders clearly recognized that the voyage was likely to be an illegal one, for they clearly stated:

If you should go among the French, Endeavor to get sale at St. Martins but if you should fall as low as Statia [St. Eustatia] and any Frenchman should make you a good offer with good security or by making your vessel a Dutch bottom or any other means practicable in order to your getting among ye French among whom if you should ever arrive, be sure to give strict orders among your men not to sell the least trifle unto them on any terms least they should make your vessel liable to seizure — also secure a permit so as for you to trade there the next voyage which you may undoubtedly do by your Factor and a little greasing some others — also make a proper protest at any port you stop at.

This was duly signed by Benjamin Gerrish, Jr., the owner. This voyage was no doubt a success, for on July 5, 1742, Derby sailed for Barbados in the *Volant*, of which he was a part owner. This time the cargo was lumber, and no cod or mackerel were shipped. The main items were fifty-four thousand feet of boards, thirty-four thousand, five hundred shingles, thirty-five hundred staves, ten barrels of shad, sixteen horses, seventy-eight bags of corn, twenty bags of rye, and thirty-two empty water-casks. The captain was further directed to buy a negro boy seventeen years old for the owner.

During these years, Salem commerce was developing with many parts of the world. Between 1726 and 1743, there

²⁵ Peabody, *Merchant Venturers of Old Salem*, 6.

are entries at Salem from Cadiz, Oporto, Alicante, Malaga, Bilbao, Portugal, Fayal, Canary Islands, Leghorn, Newfoundland, Canso, St. Martin's, Barbados, Jamaica, Antigua, and Virginia. These were constant occurrences, as is testified by the fact that in 1739 there were twelve entries in one week from such ports, and eight or more were frequently entered in similar periods. The schooner *Ranger*, probably the same boat, but with Derby no longer as master, was cast away in Barnstable Bay on her way back from Holland in November, 1743.

THE FRENCH WAR — LOUISBURG

In 1739, the long period of peace came to an end. War broke out between England and Spain, and soon this conflict merged into the War of the Austrian Succession, which began in 1740. This brought France into line as one of England's enemies, and what affected France was bound to awaken animosity in America. This resulted in a rise in prices of all foodstuffs in Massachusetts. Beef, which was ninepence a pound in 1736, had risen to twenty pence in 1747, as the war dragged to its close. Wheat rose from twelve shillings a bag in 1738 to fifty shillings in 1748, and potatoes from eight shillings sixpence to twenty-five shillings. In 1748, common laborers were getting thirty shillings per day and wood cost four pounds a cord. Milk was eighteen pence a quart compared with sixpence at the beginning of the war. These prices were in the depreciated currency, but the change from year to year is not the equivalent of the depreciation and is only slightly due to it.²⁶

Rates of insurance rose as the war advanced, especially after France came in. For instance, the rate to Antigua was eight per cent in 1743, but was double that in 1745; the London rate rose from seven to twenty-one per cent, and the Lisbon rate from twelve to sixteen per cent. This insurance was written in Boston, as there was not as yet any insurance office in Salem.²⁷

During these years around 1740, Salem was paying about one fortieth of the colony taxes and about one fifth of the

²⁶ Felt, *Annals of Salem*, II, 200.

²⁷ *Ibid.*, II, 376.

county tax, as well as spending about three or four hundred pounds herself. This made about eight hundred pounds in all, which was quite a burden on a town of five thousand persons.

The great event for New England in the war was the expedition against Louisburg in 1745. Governor Shirley was urged by the merchants to take steps toward the reduction of this post, which seriously menaced the fisheries and the trade with the fishermen in Newfoundland.

The French had built up the fisheries with surprising rapidity since their last set-back in 1712, and by 1744 they had about five hundred and sixty ships at work which brought in 1,441,500 quintals, or over five times as much as the Massachusetts fishermen at the same time. They now made a deliberate drive on the colonial fishermen.²⁸ Envy changed rapidly to alarm all along the New England coast. The little port of Canso had just been captured and a fruitless attack made on Port Royal,²⁹ showing that the Frenchmen intended to use Louisburg for a base for further encroachments. The expedition was a wild scheme. William Pepperell, a wealthy merchant of Kittery, who had been a militia colonel and was a man of energy, good sense, and tact, was selected to command the expedition, and Roger Wolcott, of Connecticut, was made second in command. Massachusetts provided, after considerable hesitation, about three thousand men, about one thousand of whom came from Maine, which supplied over one third of her fighting strength. New Hampshire and Connecticut gave three hundred each and Rhode Island a sloop of war. George Whitfield's motto for one of the flags, "Nil desperandum Christo dux," "There is still room for hope when Christ is the leader," was not a very enthusiastic one, but it put the case pretty fairly well. A little naval force of one twenty-four-gun frigate, two twenty-gun ships, and ten small vessels, mostly eight to sixteen-gun sloops, was got together to escort the expedition, which was loaded onto about ninety transports. Among the captains were Samuel Corwin, Samuel Grant, and Charles King, of Salem, the latter of whom had a company of fifty privates.³⁰

²⁸ Sabine, *Report on the Principal Fisheries of the American Seas*, 68-71.

²⁹ Fiske, *New France and New England*, 250.

³⁰ Felt, *Annals of Salem*, II, 511.

Governor Shirley had sought aid from the British Navy, but Pepperell got off before any word was received, though, as a matter of fact, Commodore Warren, with a line-of-battle ship and two forty-four-gun frigates, had already been ordered to Boston from Antigua in the Leeward Islands. He met a Boston ship on his way up, which advised him that Pepperell had already sailed, so he laid his course direct for Canso, and joined the expedition there, as Canso immediately surrendered on April 5. There they also received the reinforcement of another British ship and three heavy frigates which came in by chance, but came immediately under the command of Warren,³¹ so they had naval force enough for almost any emergency. For three weeks they waited for the ice to break up, while Pepperell and his officers drilled the raw recruits and Parson Moody harangued them on Sunday, for the expedition had a bit the aspect of a religious crusade as well as a military one. On April 28, they reached Louisburg.

One of the understandings when they left actually was that they had not enough guns to capture the place, and that they must capture these weapons first, but they brought the necessary cannon balls to fit the French guns. This is probably the only expedition which ever set off with such an idea, and the most surprising thing is that they did capture the guns.³² Fishing tackle was also carried so that the vessels could help out the food supply by fishing in their odd moments, as feeding the expedition was quite a problem. There were about five hundred and sixty regular French troops in the fortress and perhaps fourteen hundred militia, but on the 16th of June, after various failures and rows, Pepperell's force actually captured the fortress and ran up the British flag.

The War of the Austrian Succession came to a final end, so far as France and England were concerned, in 1748, with the Treaty of Aix-la-Chapelle, and, to the utter wrath of the New England colonists, Louisburg was restored to France. This peace was unpopular even in England, and one opponent of the Ministry remarked that, while the trained armies of Great Britain had been unable to accomplish anything on the

³¹ See Shirley to Pepperell, March 24, 1744-5, *Massachusetts Historical Society Collections*, Series I, 12.

³² Parkman, *A Half-Century of Conflict*, II, 95.

Continent, a band of untrained colonists had dealt France a fatal blow in America, and the Ministry had betrayed them by giving back Louisburg for a dishonorable peace in Europe. Even George II had declared Louisburg belonged, not to him, but to the people of Boston, and Dr. Smollett says, "The British Ministers gave up the important island of Cape Breton for a petty factory in the East Indies," meaning Madras.

Salem suffered a good deal during the war from privateers. In 1746, Captain Nathaniel Ingersoll was captured in his sloop *Swallow* bound for the West Indies, and a few months later, Captain Jonathan Webb in the sloop *Lynn* bound for Eustatia, both by French privateers. In 1748, Samuel Carleton was captured by a French frigate, and Captain Ingersoll, this time in the brig *Union*, by a Spanish privateer; but the records do not show that Derby was ever captured during these years of war.

DERBYS'S INCREASING ACTIVITIES

Timothy Orne, Jr., was one of the important Salem merchants in the middle of the eighteenth century and Derby's interests were allied to his. In September, 1743, Derby sailed away to Montserrat, in the Leeward Islands, as master of a sloop that rejoiced in the name of the *Jolly Bacchus*, with horses, hay, oats (presumably for the horses), dry fish and mackerel, empty hogsheads and shingles, returning the following March with cotton, rum, and molasses. Orne's part of the profit of this voyage was £380-5-9. In 1744, Derby was master of the schooner *Dolphin*, of which he and Orne each owned a third, and in 1745-6 he was master of the schooner *Exeter*, of which Orne owned a quarter, in all cases making similar ventures, going out chiefly with fish and returning largely with molasses. It is interesting to note how Derby kept acquiring interests in these ships, and from the above dates it is unlikely that he went on the Louisburg Expedition.³³ No doubt he was coming and going between the West Indies and Salem with longer trips to Spain and Madeira; or even Lon-

³³ See "Vessels owned by T. Orne, Jr.," *Essex Institute Historical Collections*, XXXVII, 77.

don after the war ended in 1748, though probably not before on account of the risk of capture.

It was during this period, namely, from 1736 to 1747, that all of his children were born. Richard was the eldest, born in 1736; then Mary, who married Captain George Crowninshield; then Elias Hasket; then John; then Martha, who married Dr. John Prince; and finally Sarah, born in 1747, who married Captain John Gardner.³⁴ This was a nice family of three boys and three girls, and no doubt a great pleasure to their father as he came and went on his short voyages; but this family, with its upbringing, is positive evidence that his business prospered, as at the war prices it required money to feed and bring up a family even in those days.

There is an old leather-bound receipt book in the Essex Institute, which begins in June, 1746, and runs to August, 1758, in which everybody to whom Derby paid any money apparently had to sign a receipt, and as early as 1746 he was paying considerable sums of money. No doubt much of this was in the course of trade, but unfortunately the receipts usually read, simply, "payment in full of all money due me"; so it is more of an autograph album than a vital document. In 1749, he owed Thomas Barton eighteen pounds, thirteen shillings, and on November 16, 1750, he gave a note for twelve pounds, eleven shillings, at five per cent interest, payable on demand to Bowen and Freeman, dated at Halifax; but what he was doing there I do not know, probably as captain of a ship.

There was a good deal going on in these years in Salem, for in the year 1748, four ships, twelve snows, twenty-one brigs, sixty-three schooners, and thirty-one sloops from the Salem district cleared at the custom house and carried thirty-two thousand quintals of codfish to Europe and three thousand and seventy hogsheads to the West Indies.³⁵ In 1749, Captain Derby headed a petition with a group of men who were to be excused from all town duties if they would buy a fire engine. They did buy it, and it was approved by the selectmen the next year. The owners left their shares by

³⁴ Perley Derby, "Genealogy of the Derby Family," *Essex Institute Historical Collections*, III, 162.

³⁵ Felt, *Annals of Salem*, II, 258.

will, or sold them if they wished, and the old engine was still doing business when Felt published the first volume of his *Annals* in 1845.³⁶ This was apparently the first fire engine in Salem, so Derby was evidently the father of the Salem Fire Department as well as of the Salem East India Trade. The merchants seem to have suddenly realized the danger of fire, or else some enterprising salesman had descended on the vicinity, because Robert Hooper, Jr., the most important merchant of Marblehead, presented that town with an engine the same year. The engines were imported from London.

The time was approaching when the sturdy captain was going to lay aside the arduous duties of skipper and let other men do his sailing for him. In 1755, he was granted a part of Winter Island, which had previously been set aside by the town for the fishermen, to build a wharf and a warehouse. The price was a shilling a year for a thousand years, and about a hundred years later one of his descendants got a clear title for six hundred and forty-five dollars, but I should have thought the previous arrangement cheaper. I do not find that Derby used Winter Island much.

By 1757, he had already begun to relinquish his ships to his son Richard, Jr., who was then only twenty-one years old, but considered quite old enough to take a ship on a foreign voyage. On December 14, 1758, Richard wrote his father from Gibraltar a letter about his adventures, which he sent home in the brigantine *Lydia and Betsy*, another of Derby's ships, commanded by Captain Lambert. He had sold his white sugar at seventeen dollars and fifty cents per hundredweight and tar at eight dollars and fifty cents a barrel, but could not find a good purchaser for his fish, and was buying claret at ten dollars a cask, raisins, soap, and small handkerchiefs. He was trying to get five hundred dozen of these at four dollars a dozen.

There had been trouble evidently about a ship called the *Sally*, which seems to have been seized for some reason. He had got possession again, but decided to sell her, for if he loaded her for Eustatia "with no papers but a pass she would be seized by privateers before she got out of the roads." As a result of his trading he was remitting two hundred to two

³⁶ Felt, *Annals of Salem*, I, 366.

hundred and fifty pounds to Mr. Lane, of the firm of Lane and Booth, which long represented Mr. Derby in London.³⁷

By this time the Seven Years' War had begun in Europe, and the privateers on both sides were on the watch, not only for enemy ships, among which they included those of enemy colonies, but also ships of their own colonies trading with the enemy. Between 1757 and 1764, Derby had the brig *Neptune*, the ship *Antelope*, the brigantine *Lydia and Betsy*, the brig *Ranger*, and the *Mary and Sally* trading to the Spanish peninsula and Madeira. At Bilboa he was represented by Gardoqui and Company. They often paid him with bills on London, which were good merchandise, as they sold at a premium on this side of the water. Or perhaps one of Derby's captains was short of money to buy the return cargo and so paid for it through the English agents, R. Anderson and Company, of Gibraltar, with a bill on London.³⁸

The insurance on the ships was effected frequently by the English agents, Lane and Booth,³⁹ but a good deal was written in Salem, for in the list of policies underwritten by Timothy Orne, Jr., in 1758, are the brig *Neptune*, R. Derby, Jr., captain, in January for Gibraltar, the schooner (not brig if there were two) *Ranger* for St. Eustatia in February, under George Crowninshield. In June, the brig *Salisbury*, of which Derby was half owner, went to Statia also, and in November the *Mary and Sarah*, evidently named for his daughters, sailed for Madeira and Gibraltar.⁴⁰

The brig *Neptune* was a vessel of a hundred and fifty tons, carried a crew of twelve men, and mounted ten guns, probably mostly swivels.⁴¹

TROUBLES WITH BRITISH PRIVATEERS

The trade to the West Indies was carried on in the smaller ships, which, loaded with fish, lumber, and grain and perhaps a deckload of horses and sheep, went peddling their goods from port to port among the islands. The larger ships went

³⁷ Hunt, *Lives of American Merchants*, II, 21.

³⁸ Peabody, *Merchant Venturers of Old Salem*, 10.

³⁹ Hunt, *Lives of American Merchants*, II, 25.

⁴⁰ Essex Institute Historical Collections, XXXI, 88.

⁴¹ Felt, *Annals of Salem*, II, 259.

anywhere that looked hopeful. Once the *Antelope*, having been to Cadiz, crossed to Tangier, loaded mules, took them to the West Indies, and returned to Salem with sugar and molasses. This was a profitable trip; but with the outbreak of the war, this idea did not work so well. For instance, at Gibraltar, Derby bought a French prize, a ship of three hundred tons, christened her the *Ranger*, and sent George Crowninshield out to take command of her. He loaded her with wines and sailed for the West Indies, where he exchanged his cargo for sugar, probably at Martinique, and sailed for Leghorn. Just clear of the islands, she was seized, for trading between the French islands and America, by four British privateers and carried to New Providence in the Bahamas.

Mr. Derby was very angry. He sent a sloop at once to the Bahamas with his son John to protest. She was condemned by the Admiralty Judge Bradford, and it was approved by Governor Shirley, late of Massachusetts. With the help of able counsel, John Derby protested that you could not register a ship till you got her home, and that she was not trading from a French island to America, but to Leghorn, which was legal. She was nevertheless given up to her captors at a quarter of her value. Derby appealed and filed bonds to prosecute his appeal in England, but the case was pushed through under bonds of the captors, who were mostly bankrupt, and who at once left the island. Derby was furious, and pointed out to his counsel in London, as the case dragged on, that over two hundred vessels had been taken to the Bahamas and not one had escaped condemnation, and that the judge and governor, who arrived as poor men, had retired with thirty thousand pounds apiece. He got no redress, however, in Bahama or in England, but the son of Captain Crowninshield collected this bill several times over with the privateer *America* some fifty years later. For the immediate present Derby had to be content with meager insurance, instead of a profit of seventy thousand dollars, which he claimed was his expectation.⁴²

In July, 1759, the fifty-six-ton schooner *Three Brothers* sailed for St. Martin's in the French West Indies. One day out of Salem, she was captured by a British privateer, which

⁴² Hunt, *Lives of American Merchants*, II, 26 and 27.

immediately boarded her and removed all the specie, about eight hundred pieces of eight. A prize crew was put on board, and she was sailed down to Spanishtown, where most of the cargo was discharged, and then she was taken to Antigua and condemned. Captain Driver protested, but she had started to trade with the enemy, though the robbery and sale of her cargo before she was legally condemned was a piece of high-handed piracy.

The capturing and condemning of colonial vessels by English privateers rankled in the colonial mind because the colonial vessels were seized by privateers in time of war for technical breaches of laws that were never enforced in time of peace by the Royal Navy. Obvious injustice and unfairness, especially when it is impossible to do anything about it, have always rankled in the Anglo-Saxon mind, and right at this point in his career Richard Derby was being turned into a bitter enemy of England, who, though she did not realize it, was to pay for the injury in due time to the last dollar.

Three years later, Captain Driver was again captured, this time in the *Sally*, by a real enemy, the French privateer *Le Tigre*, but all she did was to hold the first mate as security for the ransom and let the *Sally* go. Derby, to make good the word of his captain, sent the schooner *Mary* as a cartel, a joint venture with two Newburyport merchants who also had a man held for ransom. They headed for Cape François in Hayti, and were grabbed by an English privateer, who removed the specie sent as the ransom, and sent the *Mary* into Nassau for heading for a French port. When the matter was explained, she was released and even the specie returned.⁴³ She sailed on to Cape François, took over the hostages, and paid the ransoms. All now seemed bright, but, as she left the port, a French frigate again seized the hostages and obliged Captain Driver to sail the *Mary* over to Santiago de Cuba, where she was detained for three months and never reached Salem until six months after she had left in June, 1762.⁴⁴

⁴³ Peabody, *Merchant Venturers of Old Salem*, 15, 16.

⁴⁴ *Ibid.*, 16.

THE CLOSE OF THE WAR

The war was not without incident on land as well as at sea. It opened with Braddock's defeat at Fort DuQuesne, which was not an especially auspicious beginning. Nor was the loss of Fort William Henry, in August, 1757, and the massacre which followed it, in which Colonel Frye's Essex County regiment suffered severely and several men lost their lives. It had been hard to raise the men for this expedition, and Richard Derby's name appears with thirty-three others who subscribed to a fund to give the soldiers the ten pounds promised but never paid by the King. Moreover, Derby, Benjamin Pickman, and Benjamin Lynde Oliver were the three largest subscribers at thirty pounds apiece, and Derby was probably the moving spirit, for the account of receipts and disbursements is on the fly-leaf of his personal ledger.⁴⁵

The fighting along Lake Champlain eventually leaned toward success for the British armies. General Abercrombie was again defeated near Ticonderoga in 1758, and Lord Howe was killed in an Indian ambush as he stood beside our own General Israel Putnam.⁴⁶ But Louisburg was retaken by Lord Jeffrey Amherst and General Wolfe; and the next year Wolfe took Quebec, while Amherst retrieved the defeats on Champlain and captured Ticonderoga.⁴⁷

The Peace of Paris was far more satisfactory than the Peace of Aix-la-Chapelle had been. France ceded to England Nova Scotia, Acadia, Cape Breton, and all other lands to the north, the islands of St. Pierre and Miquelon alone excepted, and with them the right to fish, but only off shore. France also gave up all lands in Louisiana east of the Mississippi except New Orleans, and Spain ceded Florida to England. This finally determined that all of North America east of the Mississippi was to be English and not French, and the century-long conflict was ended.

SALEM AFTER 1750

When peace came in 1763, Salem must have been a pleasant place to live in. Large and pleasant houses had taken the

⁴⁵ *Essex Institute Historical Collections*, III, 83.

⁴⁶ Fiske, *New France and New England*.

⁴⁷ See Roads, *History and Traditions of Marblehead*, 74.

place of the earlier homes of fishermen and farmers and of the many-gabled but rather cramped houses of the more well-to-do citizens. Benjamin Pickman had recently built the house, already mentioned, which still stands just west of the East India Marine Hall, in which he glorified the codfish which had made his fortune by placing its image, carved in wood, on every step of his spacious stairway. John Cabot had built the house on Essex Street opposite the corner of Monroe Street, which is still one of the most beautiful in Salem. The fine old Hodges house, near the end of Crombie Street, which disappeared behind the line of shops only a few years ago, was standing, and just one or two brick houses had appeared. Among these was the so-called Richard Derby house, built in 1761 on Derby Street below the custom house.⁴⁸

Where Richard had lived from the time of his marriage is not certain, but we know, as has been stated, that in that very year he bought the nucleus of the property that later became his, lying along the water from the head of where Union Wharf was eastward a few hundred feet and back toward Essex Street a hundred feet or so. For the next fifteen years he was adding to this property by buying out the interests of the Hasket and Pickman heirs in the adjoining property, till he must have had quite a strip. There was a dwelling house on the original property, and there I imagine he lived. Felt says⁴⁹ that the so-called Richard Derby house was built for Elias Hasket on his marriage, and as the two events occurred the same year, it seems probable, and that Richard continued in his regular house even after Elias Hasket moved to the house on Washington Street at the corner of Lynde, as indicated in the notes to the Derby land titles in the second part of this article.

Outside the city the great merchants showed the results of successful trade by the fact that they started to build country places. Judge Lynde built a fine house on Castle Hill, which, alas, and the hill on which it stood, have both disappeared. "King" Hooper, of Marblehead, built the Lindens in Danvers, which still stands as a tribute to good building, good architecture, and good taste.

⁴⁸ Felt, *Annals of Salem*, I, 415.

⁴⁹ *Ibid.*

In 1759, Derby had bought the place on the Peabody and Danvers Road, known at that time as the Ives Farm, and had started to lay out that fine estate. Benjamin Pickman had his estate on Forest River, not far from Loring Avenue. Colonel William Browne was still building on Folly Hill the sumptuous Hall that gave the hill its name. It has always seemed to me that he was far less foolish than the men who criticized him.⁵⁰

Captain Francis Goelet, who visited Salem in 1750, thus described his trip to Colonel Browne's estate:

About 3 a Clock we Sett out in his Coach for his Country Seat rideing trough a Pleasant Country and fine Rhoads we arived there at 4 a Clock the Situation is very Airy Being upon a Heigh Hill which Over Looks the Country all Round and affords a Pleasant Rural Prospect of a Fine Country with fine woods and Lawns with Brooks water running trough them you have also a Prospect of the Sea on one Part and On Another a Mountain 80 miles distant The House is Built in the Form of a Long Square, with Wings at each End and is about 80 Foot Long, in the middle is a Grand Hall Surrounded above by a Fine Gallery with Neat turned Bannester and the Cealing of the Hall Representing a Large doom Designed for an Assembly or Ball Room, the Gallery for the Mucisians &c. the Building has Four Doors Fronting the N. E. S. & W. Standing in the middle the Great Hall you have a Full View of the Country from the Four Dores; at the Ends of the Buildings is 2 upper and 2 lower Rooms with neat Stair Cases Leading to them, in One the Lower Rooms is his Library and Studdy well Stockd with a Noble Colec-tion of Books, the others are all unfurnish'd as yet Nor is the Build-ing yet Compleat — wants a Considerable workman Ship to Com-pleat it, so as the Design is. But Since the Loss of his first wife who was Governour Burnetts Daughter of New York by whome he has yet 2 Little Daughters Liveing, the Loss of her he took much to heart as he was doateingly fond of her Being a Charming Ladie when married.⁵¹

In Salem itself there were three churches of the Congrega-tional faith and one for the Church of England people, not to mention a Quaker meeting. The Salem Marine Society had already established itself and was compiling useful records of voyages and data about navigation. The Social Library, the predecessor through a long line of changes of the present

⁵⁰ See Dow, *Two Centuries of Travel in Essex County, Massachusetts*, 75.

⁵¹ *Ibid.*



DERBY HOUSE

Built on Derby Street in 1761 on the order of Richard Derby

Salem Athenæum, was making a small collection of books available to a group of cultured and educated gentlemen. According to Captain Goelet, as mentioned above, Colonel William Browne had an extraordinary library of the best ancient and modern authors.⁵² The town could also boast of a book-shop kept by Samuel Orne.⁵³ In 1768, Captain Derby persuaded Samuel Hall, an excellent printer, who had been the partner of the widow of John Franklin, brother of Benjamin, to remove to Salem and set up an office. He was a staunch patriot and presently started the *Essex Gazette*, the first Salem newspaper.⁵⁴ The Ship Tavern, run by the widow Pratt, had not yet been succeeded by Goodhue's Sun Tavern, which twenty years later was the most popular.⁵⁵

Captain Goelet's full description of the town, written just after he had visited it, is so concise that it is worth quoting as a whole. He says:

Before proceed shall Give a Discription of Salem. Its a Small Sea Port Towne. Consists of abt 450 Houses, Several of which are neat Buildings, but all of wood, and Covers a Great Deal of Ground, being at a Convenient Distance from Each Other, with fine Gardens back their Houses. the Town is Situated on a Neck of Land Nava-gable on either Side is abt 2½ Miles in Lenght Including the Buildgs Back the Towne, has a main Street runs directly trough, One Curch 3 Presbiterian and One Quakers Meeting. The Situation is Very Pretty &c.

This contrasts very sharply with his classic dictum on Marblehead, "It may in Short be Said its a Dirty Erregular Stinking Place."

His comment on the trade of Salem is as follows:

The Trade Consists Chiefly in the Cod Fishery, they have abt 60 or 70 Sail Schooners Employed in that Branch. Saw abt 30 Sail in the Harbr havg then abt 40 at Sea. They Cure all their Own Cod for Markett, Saw there a Vast Number Flakes Cureing, in the Harbour Lay also two Topsail Vessels and three Sloops, on Examg into the Fishery find it a very adventags Branch.

Lest we be too proud of our later anti-slavery proclivities, it is well to remember that during the middle of the eighteenth

⁵² Dow, *Two Centuries of Travel in Essex County, Massachusetts*, 74.

⁵³ Tapley, *Salem Imprints*, 171.

⁵⁴ *Essex Institute Historical Collections*, VIII.

⁵⁵ Tapley, *Salem Imprints*, 220.

century there were always about eighty slaves owned in Salem, and that these were bought and sold and passed by will like other property, but there was certainly no general trading in slaves as merchandise for profit, at least in the city, whatever the ships may have done.

Salem was still a town very much by itself in 1760. It was off the main line of travel to the eastward, which ran from Lynn through Peabody and Danvers to Ipswich. There were no regular stages running anywhere, and if one wished to journey to Boston, he spent a couple of days about it in his own chaise over pretty rough roads. In 1761, "a large stage chair" began to run for the first time from Portsmouth to Boston through Salem. It was drawn by two horses and made the trip to Boston and return once a week. In 1766, a stage began to run from Salem to Boston, but the conveyances to the eastward gave out because of an epidemic among the horses. But land transportation of a public character had at least begun and it steadily improved.

MR. DERBY'S LATER ACTIVITIES

By 1760, Mr. Derby must have been one of the leading citizens of Salem. All of his six children were growing up, and they must have been a source of pleasure to him, as all six developed into energetic and useful members of the community. We have already seen that his eldest son Richard was a sea-captain of ability and skill. His loyalty to his father and his energy in the shipping industry added to his father's fortune and started his own. Mary, the second child, had already married Captain George Crowninshield in 1757, and he had allied himself to the family business organization as a commander of one of the ships. The next son, Elias Hasket, married Captain Crowninshield's sister Elizabeth in 1761, making a double family alliance. John, the third son, was a capable shipmaster and did his part with the family shipping. He married Lydia, the daughter of Captain Jonathan Gardner. The daughter Martha alone married away from the mercantile tradition, for she married Dr. John Prince, but the youngest daughter Sarah came back to it by marrying Captain John Gardner. Thus, Mr. Derby had in his own family four of the ablest sea-captains out of Salem, and he needed the

assistance of one of his sons at home to attend to the mass of detail which went with the extensive trade and to share the responsibility. This was probably not necessary when the eldest son started out, as he took to the sea, and the place was filled when John came of age, so he went to sea also. It is not unnatural that Elias Hasket became a merchant at an earlier age than most of the Salem merchants who had to begin life at sea, but he thus had more time to consolidate his fortune.

There are few men who have the help of five men of their own family of so much ability and energy in a single business as Richard Derby had, and it is not to be wondered at that the business succeeded. All the documents left indicate that Mr. Derby was a man of thoroughness and painstaking carefulness. If, as has often been said, "Genius is merely the capacity for taking pains," Mr. Derby was undoubtedly a man of genius.

It is difficult to get at the total amount of their transactions or just what they accomplished. Fish, molasses, and rum were undoubtedly the bulk of their transactions before the Revolution, but what they amounted to in dollars, or what percentage they made is not easy to determine, and I doubt if they had any way themselves of determining in advance their profit. I suspect that if a voyage could be completed as planned, with fair luck in markets when the ship arrived at destination, and without accident to the vessel, the profits were huge; that is, a cargo worth eight hundred dollars, after a year's trading in different ports might produce a return cargo worth eight thousand dollars, while the overhead charges for ship and crew would not exceed five hundred dollars. This is guesswork, however, and I doubt if Richard Derby himself, in 1763, could have told you just what he made on a voyage, or even what the outbound cargo cost or the inbound one sold for, although it was all invoiced and priced. If you get thirty-five hundred barrel staves for five barrels of rum made from a few hogsheads of molasses which were exchanged for a dozen quintals of codfish that were bought for some previous barrels of rum, who can tell what the barrel staves cost?

For instance, take this transaction from an attorney who had been trying to collect a bill:

Halifax, Oct. 18, 1763.

This day I have received of Mr. John Blackbury's attorney £93-9-5 being the net proceeds of 8 pipes of wine sold by John Burbridge after deducting out £8-6-0 Freight and Storage of 13 pipes and commission on 2 pipes at Louisburg. I enclose to you amount William Smith's draft on Chas. W. Aphthorp, Esq. for 468 Dollars 2/3 the balance.

I have charged you 2½% commission for receiving and remitting this money, which is a small consideration for the Trouble of going after it times innumerable however am glad I am able to get it for you at last & am very sorry you have been so long kept out of it but I could not obtain payment of it till now.

I shall at all times gladly render you any service for I am with respect

Yr most Hum servt

Frank White ⁵⁶

The question naturally arises, What did he get for eight of the thirteen pipes of wine which seem to have been there, regardless of the fact that he seems to have lost three of the other five?

Here is another transaction in fish and rum, and no one can tell what the fish cost or the rum brought, and this gentleman was evidently slow pay, for a little care was taken to check him up:

Gloucester, Dec. 15, 1768.

Capt. Derby

Sir

You gave me encouragement that you could supply me about this time with 15 or 16 barrels of rum which if you could I shall have an opportunity to send for them ye beginning of ye week for which will pay you in ye spring to your satisfaction. I shall find you your balance next week or ye week after who am Sir

Your Humb. Servt.

Nathaniel Allen

We do not know whether he got this lot, but he did get some the following year as per the following entry of December 20, 1769: ⁵⁷

⁵⁶ Derby Manuscripts at Essex Institute.

⁵⁷ Manuscript Book of Rum Deliveries, July 6 to December 20, 1769.

634 3/4 Gals @ 14/
 14 Barrels @ 25
 6 " @ 27

Natl. Allen, Dr. to 20 Bbls. of N.E. Rum to be paid for in good Jamaica Fish in July next, at the last price, delivered in Salem free from any charge, if not paid for then to be paid cash or Jamaica Fish with interest until paid either of which said Derby shall choose.

There is a little book at the Essex Institute which shows the delivery of rum only between July 6 and December 20, 1769, and the amount delivered is astounding. The book is of thirty-two pages, and covers less than six months. I added an average page, which covers only five days, and ten hundred and sixty-eight gallons of rum were delivered to different people.

During these years a good deal of ready cash was being paid out also, according to the little receipt book previously mentioned. The month of December, 1758, shows outpayments of £189-15-0 plus \$104, and the month of January, 1761, of £254-17-10. These payments, therefore, ran at the rate of twelve or fifteen thousand dollars a year, and were evidently minor transactions, as the recipients frequently merely made their marks, though names like William Nichols, Dudley Woodbridge, and Henry Elkins appear also.

The reputation of the Derby house was extending abroad, and merchants who had once had their trade wanted more of it. There is, for instance, still a letter among the Derby manuscripts from a firm of merchants in Madeira, dated May 26, 1766, soliciting a cargo of fish and suggesting August or September as the best date for its arrival. Trade with New England had evidently fallen off, as they suggest an answer *via* New York or Philadelphia, or through their partners in Crown Court, Threadneedle Street, London. They enclosed a list of prices current, but that has disappeared. However, the attempt to drum up trade succeeded, for in February, 1771, they had occasion to refer the adjustment of a difference on the cargo of the schooner *Patty* to their agent in New York, and tendered their services for other ventures.⁵⁸

⁵⁸ Derby Manuscripts at Essex Institute.

TROUBLES BEFORE THE REVOLUTION

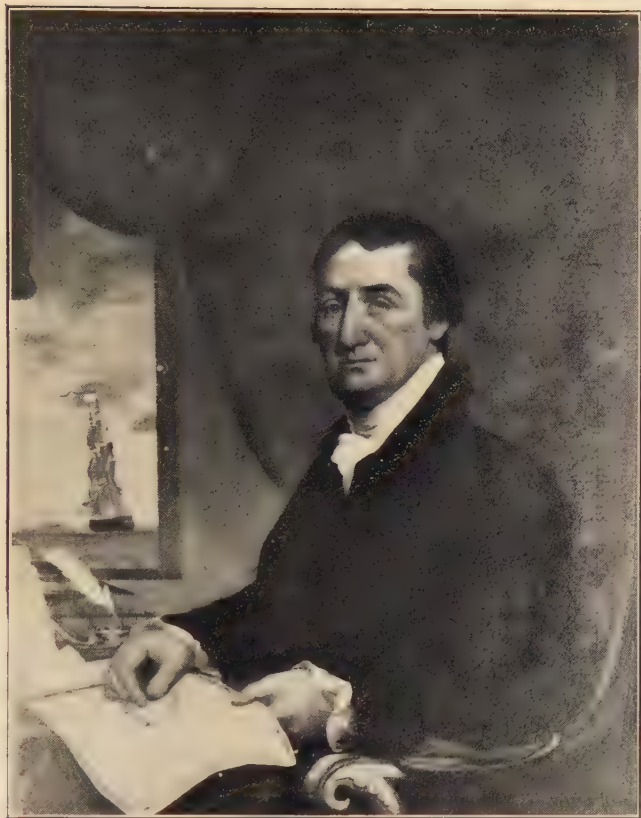
From 1760 on, the trouble over the collection of the Molasses Tax increased steadily. The merchants tried to escape it and the crown officers tried to enforce it. In 1761, the collector in Salem, one Corkle, applied to the Supreme Court for writs of assistance to help him collect these duties, and the merchants of Salem and Boston employed James Otis to try this celebrated case, which originated in Salem, it should be noted. Further tightening of the enforcement of these laws took place in 1763, and in 1766 libels amounting to ten thousand pounds were filed against Salem vessels that had not fully complied, and in 1767, the new duties on paper, tea, etc., were put in force. This increased the tension still more; more men avoided the taxes, and the unpopular informer began to ply his trade, till one Thomas Row, for giving information, was tarred and feathered, carted up Essex Street, and chased out of town, much to the wrath of the crown officers.⁵⁹ The Derbys were strong supporters of the association for the non-importation of goods on which the unpopular duties were to be levied, and letters are still extant in which they instructed their captains not to purchase indigo and other commodities interdicted by this voluntary agreement which they did not intend to break.⁶⁰

By 1770, Richard Derby seems to have turned over the great responsibility of the business to Elias Hasket Derby on shore and to Richard and John, George Crowninshield, and John Gardner, who married the youngest daughter Sarah in 1769. If the girls were as fascinating as their father looks in the portrait by Henry Sargent,⁶¹ with his white wig and his spyglass in his hand, it is no wonder that the Derby interest absorbed the best captains in Salem; and it must always be borne in mind that these captains were far more than mere sailing masters and navigators. They were expected to sail the ship to her alleged destination. They could go elsewhere, and frequently did, if a captain they met at sea reported bad markets at the intended destination. They were in entire charge of the cargo, with power to sell at such places and

⁵⁹ Felt, *Annals of Salem*, II, 260-63.

⁶⁰ Peabody, *Merchant Venturers of Old Salem*, 40.

⁶¹ See frontispiece, *Essex Institute Historical Collections*, XLIV.



ELIAS HASKETT DERBY

1739-1799

From a portrait by James Frothingham in the Peabody Museum, Salem

prices as they saw fit. They were fighting men also, and had to know how to maneuver a ship in a fight and how to make the crew serve her guns. Finally, they had to know how to careen a ship, paint her and rig her with only the limited facilities of a tropical beach. In short, they had to be navigators, sailors, soldiers, leaders, merchants, bankers, traders, shipwrights and shipbuilders, and I find I have omitted the professions of doctors, surgeons, lawyers, and ministers which came in more often than you would suppose. For these simple duties masters received, between 1760 and 1783, from two pounds, eight shillings, to three pounds, seven shillings, a month, while able seamen got two pounds, eight shillings, to two pounds, fourteen shillings. There was not so wide a distinction between brains and brawn then, but that was because seamen had brains, too, and also loyalty and earnestness in their work. It should, of course, be added that the captains usually had an interest in the cargo and got considerable profit from trading in their own ventures.

If you look at the benevolent picture of Richard Derby and then at that sharp, vigorous portrait of Elias Hasket Derby, you can imagine very easily how the weight of business slipped from one pair of shoulders to the other, and with pride and relief on the part of the older man that the fabric he had constructed was in such capable hands.

In March, 1770, a few days after the Boston Massacre, Mrs. Richard Derby died after thirty-five years of married life. She had lived to see her husband rise from a skipper to the most conspicuous merchant in his city, with an ample fortune at his command. All her sons and daughters were married and had gone to homes of their own, and Richard was therefore much alone at her death, but not for long. Eighteen months later, on October 16, 1771, he married Sarah Langley, widow of Dr. Ezekiel Hersey, of Hingham. She was a most estimable lady of wealth and culture, who after his death, twelve years later, returned to Hingham and founded Derby Academy in that town.

So Richard Derby devoted himself after 1770 largely to receiving the honors which were his due for a long and industrious life. He was a member of the General Court in the years 1769-73, and of the Governor's Council in 1774, 1775,

and 1776, when the province was breaking away from the mother country,⁶² and his name occurs less frequently on the papers in the business. He was the stern patriot and hater of the personal government of George III that he had always been. He resented the Townshend Acts, including the Stamp Act, as much as any other citizen, and was vigorous in his opposition.

FIRST ARMED RESISTANCE IN THE REVOLUTION

On February, 1775, occurred the first armed resistance to the British troops in America. Colonel Leslie was sent by General Gage with a regiment of British troops to Salem, to capture some cannon known to be stored there. The soldiers landed in Marblehead and marched the five miles to Salem. Marblehead's Committee of Public Safety, under Deacon Stephen Phillips, its chairman, sent warning post-haste; the churches closed at once (it was Sunday) and an excited but sullen crowd of citizens gathered in the street near the courthouse, where Leslie had halted. Leslie was a cooler man than Pitcairn, but he demanded to know where the cannon were. Old Richard Derby stepped out to defy him.

"Find them if you can. They will never be surrendered," he said.

Samuel Porter, a young lawyer and a Loyalist who later lived in London, indicated the road to North Salem. Leslie marched on to the North Bridge, where the minute men had raised the draw and stood ready for eventualities on the farther bank. The situation was tense, but old Dr. Barnard, in his position of minister of the Gospel, at once assumed the rôle of peacemaker. Negotiations continued, honor was saved by lowering the bridge, and Leslie returned to Boston, having done nothing. If Leslie had used at North Bridge the historic words, "Disperse, ye rebels!" instead of yielding to the persuasions of Dr. Barnard, the first battle of the Revolution would have laid a bloody trail from Salem North Bridge back to the boats in Marblehead, instead of from Concord to Charlestown, as it did two months later. It was the moderation of the British officer, not a difference in the spirit of the provincial troops, that changed the situation. Here, therefore,

⁶² Hunt, *Lives of American Merchants*, II, 27.

was the first organized armed resistance of the Revolution, and it was evidently not Richard Derby's fault that peace prevailed. Some of the guns belonged to him. Leslie was not turned back by gentle words. It was the companies of minute men with guns in their hands across the bridge that gave force to Dr. Barnard's arguments. The Danvers minute men, six of whom were killed in the retreat from Concord in April, came marching down to North Bridge just as Leslie turned back.

This incident probably strengthened the orders which Gage issued to the Concord expedition. It was not to his advantage to parley while the province organized and armed itself. He would better have pushed the matter at Salem.

SALEM SENDS THE NEWS OF CONCORD AND LEXINGTON TO ENGLAND

But Salem also had its part to do in connection with the fight at Lexington and Concord. When the Provincial Congress met at Concord on Saturday, April 22, three days after the Lexington fight, a committee of eight, headed by Elbridge Gerry, of Marblehead, was appointed "to take depositions *in perpetuam* from which a full account of the transactions of the troops under General Gage in their route to and from Concord, etc. on Wednesday last may be collected to be sent to England by the first ship from Salem."

This was no inconsiderable task, but, as we know from the controversies over who started first in the Great War, the human mind attaches vast importance to the question of who starts a fight. On Tuesday afternoon a letter came from Salem urging the utmost haste,⁶³ and was forwarded to the committee then at work in Lexington. It is not stated who wrote this letter, but the very next day it was "*ordered*, That the copies of the order of the Hon. Richard Derby, Esq. for fitting out his vessel for a Packet be taken and authenticated by the President *pro tempore* and Ordered that the Hon. Richard Derby, Esq.'s orders to the treasury be also authenticated by the President *pro tempore*." ⁶⁴

⁶³ Force, *American Archives*, 4th Series, II, 767.

⁶⁴ *Ibid.*, II, 769.

On Thursday, April 27, the Committee of Public Safety ⁶⁵ resolved "that Captain Derby be directed and he hereby is directed to make for Dublin or any good port in Ireland and from thence to cross to Scotland or England and hasten to London. This direction is so that he may escape all cruisers that may be in the chops of the channel to stop the communicating of the Provincial Intelligence to the agent."

John Derby, who sailed in the ship, was a son of our Richard, and the papers he carried are in the archives of the Provincial Congress in full ⁶⁶ in the shape of a letter, accompanying a declaration supported by affidavits, to Benjamin Franklin, the colony agent in London, as evidently they did not know he was then on the water *en route* to America. After the usual compliments and a request to supply Captain Derby on the credit of the colony, the letter continues:

But we most ardently wish that the several papers herewith enclosed may be immediately printed and dispersed through every town in England and especially communicated to the Lord Mayor, aldermen and councilmen of the city of London that they may take such order thereon as they think proper and we are confident that your fidelity will make such improvement of them as shall convince all who are not determined to be in everlasting blindness, that it is the united efforts of both Englands that must save either. But that whatever price our brethren in the one may be pleased to put on their constitutional liberties, we are authorized to assure you that the inhabitants of the other with the greatest unanimity are inflexibly resolved to sell theirs only at the price of their lives.

Signed by order of the Provincial Congress.

Jos. Warren, President pro tem.

There was enclosed an appeal to the inhabitants of Great Britain, signed by Warren, and twenty affidavits authenticated by notarial certificates in the most legal fashion, all to the effect that the troops fired first and without provocation. Two of these affidavits were from British soldiers, evidently captives; the rest, in some cases signed by fifteen or twenty men, were all by Americans.

When the letters reached Salem on the morning of April 27, the schooner *Quero* of sixty tons, in ballast, with a daring crew, was all ready to leave. John Derby went on board

⁶⁵ Force, *American Archives*, 4th Series, II, 747.

⁶⁶ *Ibid.*, II, 488.

with the letters and Captain William Carleton, the sailing master, got up sail. Next morning she had vanished and the sloop of war *Lively*, which had been hanging around off Marblehead, had not seen her go. Four days before, General Gage had sent his despatches by the ship *Sukey*, Captain William Brown, but she was a fully loaded ship of two hundred tons and not so fast.

Haste was essential, however, and Derby took the quickest route to London. The instruction to land in Ireland was probably merely a blind, and Derby was probably put ashore from an open boat on the Isle of Wight, while the *Quero* dropped back to Falmouth before entering in England. Anyway, Derby's expense account shows expenses from the Isle of Wight to London, and Hutchinson's diary says he was supposed to have come that way, though the King's officers could not discover when, or where his ship was.

Anyhow, he got to London Sunday evening, May 28, with his official despatches, which he at once turned over to Arthur Lee, acting provincial agent, and also copies of the *Salem Gazette* of April 21 and April 25, with accounts of Lexington, probably written by Timothy Pickering. Hutchinson somewhat bitterly remarks that "the conduct of the Boston Leaders is much the same as it was after the inhabitants were killed the 5th of March 1770. They hurry away a vessel that their partial account may make the first impression." Arthur Lee, the provincial agent, pressed the advantage by broadcasting his news far and wide. Those who remember the impression made by the first German account of the Jutland naval fight in the Great War can easily see how great the advantage was. The Ministry, still in utter ignorance, tried to discount the news. Lord Dartmouth announced May 30, 1775:⁶⁷

A report having been spread and an account printed and published of a skirmish between some of the people of the province of Massachusetts Bay and a detachment of His Majesty's troops, it is proper to inform the public that no advices have yet been received in the American Department of any such event.

There is reason to believe that there are despatches on board the *Sukey*, Capt. Brown, which though she sailed four days before the vessel that brought the printed accounts is not yet arrived.

⁶⁷ *Essex Institute Historical Collections*, XXXVI, 6.

Arthur Lee, provincial agent, tartly replied:

London, May 30. As a doubt of the authenticity of the account from Salem touching an engagement between the King's Troops and the Provincials of Massachusetts Bay may arise from a paragraph in the Gazette of this evening, I desire to inform all those who wish to see the original affidavits . . . that they are deposited at the Mansion House with the Rt. Hon. the Lord Mayor for their inspection.

When the *Sukey* arrived, her news was pretty stale, and, as the newspapers couldn't see much difference, the American point of view prevailed. The main dispute seemed to be whether the British troops retreated or were routed. The London press sarcastically closed their discussion by remarking, "Whether they marched like mutes at a funeral or fled like the relations and friends of the present ministry after Culloden is left entirely to the conjecture of the reader."

Meanwhile it had finally occurred to the Ministry to get hold of Derby and get further details, as he was reported to be *en route* to Spain for ammunition, but now Derby had disappeared, and by the time they learned that the *Quero* was at Falmouth, she had also sailed. In fact, her entry at Falmouth was probably delayed till Derby was about ready to leave. He simply took a seat in the post-chaise, somewhere outside of London, for Portsmouth and changed into another for Falmouth. On July 19, the *Quero* reached Salem and entered from Falmouth in ballast, William Carleton, master, no passengers. All quite true, but her important passenger had nevertheless reported to General Washington⁶⁸ at Cambridge the day before, with secret despatches, and again did not report how or where he got ashore, but probably north of Cape Ann to make sure to avoid the English cruisers. The trip cost £143-9-2½ and was duly paid for August 1, 1775. Derby charged £5-0-8 for his expenses in England, but also includes this entry:

To my time in executing the voyage from hence to London and back Nothing⁶⁹

⁶⁸ See Washington's Letter to Congress, *Works*, edited by Jared Sparks, 1834, III, 35.

⁶⁹ Full account, Robert S. Rantoul, "Voyage of the *Quero*," *Essex Institute Historical Collections*, XXXVI, 1-30.

LAST YEARS

Richard Derby was of the aggressive temperament which enjoys a fight and whose spirits rise with the occasion. On May 9, or a few days after the *Quero* had gone, he wrote an account of Lexington to Daniel Hathorne, captain of his schooner *Polly* in the West Indies, and, after describing the battle and regretting the losses, he adds:

However they got a dire drubbing so they have not played ye Yankee tunes since. . . . We have no Tories save what is now shut up in Boston or gone off. There has not as yet been any stopping of ye trade so I would have you get a load of molasses as good and cheap and as quick as you can and proceed home.⁷⁰

It is evident that there was no weakening of spirit, but merely a desire to get his ship home and out of harm's way. As the year wore on, the wisdom and necessity of this became more and more apparent.

The Derby schooner *Jamaica Packet* under Captain Ingersoll was captured on the way home from Jamaica and carried into Boston, where she was detained till the evacuation and then burned. There were three vessels at Hispaniola under the general charge of Captain Nathaniel Silsbee in February, 1776, and Captain Hallet was sent down in the *Nancy* with instructions. Captain Silsbee got her loaded and headed back so that she arrived in Portland, Maine, with a valuable cargo which sold at a good profit, but two of the other three vessels sent north were captured, and by the summer of 1776 the house of Derby started retaliation. In June, the schooner *Sturdy Beggar*, of sixty tons, with six carriage guns and twenty-five men, was sent out, and in September, the *Revenge* with twelve guns. The latter had a most successful cruise, and she sent in four Jamaica ships with over seven hundred hogsheads of sugar. Gradually the armed ships increased, and of the one hundred and fifty-eight sent out from Salem during the war, the Derbys appeared as owners or part owners of twenty-five and doubtless had shares in many more.⁷¹

As the war progressed, it became evident that these ventures were more and more the work of the younger rather than

⁷⁰ *Essex Institute Historical Collections*, XXXVI, 16.

⁷¹ Peabody, *Merchant Venturers of Old Salem*, 45.

the older Derby. He lived, however, to see the first news of the Treaty of Peace at Paris brought into Salem by the Derby ship *Astrea* on March 12, 1783, just as the first news of hostilities had been taken out by the *Quero*. Still, his story was drawing to a close. On October 27, 1783, he made his will, and on November 9, just a fortnight later, he died, and was buried in the big square tomb which stands on the left of the path as you enter the Charter Street Burying Ground.

In his will he divided a property worth at least twenty thousand, eight hundred pounds as he valued it, and, as much of it was in houses and lands at values which seem to us absurd, and as there was an unitemized residue, it certainly amounted to well above one hundred thousand dollars and probably above two hundred thousand dollars. He gave to his widow all the goods and chattels she brought on her marriage, his chariot and chariot horses, his slave child Peggy, and one hundred pounds a year. To each of his living daughters he gave the house she had lived in when first married, household goods, a negro slave, and cash to make a total of thirty-four hundred pounds to each, and to the orphan children of Sarah each one thousand pounds in cash and other things to make their total an equivalent amount. He gave his son, Elias Hasket, certain land whereon "his warehouse stands," and to Richard's children "the mansion house, wharf and buildings thereon which I gave to my son Richard late deceased." These were merely specific items which were assigned to certain heirs out of the residue, which was divided into thirds. There is no mention of ships or merchandise and no statement of the full value. Elias Hasket, John, and John Gardner 3d were made the executors, and the will was probated promptly December 3, 1783.

Thus lived a great Salem merchant of the eighteenth century and the founder of the Derby fortunes. Undoubtedly a man of great energy and ability, he was upright and honorable in all his dealings and a lover of his town and country. The injustice of the British maritime policy made a deep impression on him in his early life as a merchant. He lost heavily through the injustice of the English administrators in the Bahamas and the West Indies, and he bitterly resented an injustice he was powerless to overcome. This point of view

stayed by him, and neither age nor the increasing responsibilities of wealth prevented his staking everything on the liberty of his country. From the beginning to the end of the Revolution, the house of Derby never faltered in its support of the wavering fortunes of the colonies. Though primarily a man of business, rather than a man of public affairs, he was sufficiently committed to have lost everything had the Revolution failed. Though there were noisier and more conspicuous patriots than he and his sons, I doubt if any one in the colonies gave more effective and valuable support to the cause along practical and useful lines. It was the energetic and well-to-do men of his type doing their daily tasks efficiently in a hundred different ways who supplied the sinews of war that made America free.

NOTES

Affidavit of Elizabeth Hasket, Richard Derby's grandmother, as printed in the *New England Historical Genealogical Register*, Vol. 29, p. 110, quoted from the Notarial Records of the Essex County Massachusetts Clerk:

Elizabeth Haskitt's oath and certificate Entered May 30th, 1698. Mrs. Elizabeth Haskitt widow formerly the wife of Stephen Haskitt of Salem personally appeared (before me) ye subscriber and made oath that she hath six children living (viz) one sonne whose name is Elias Haskitt aged about Twenty Eight years and five Daughters Elizabeth Mary Sarah Hannah and Martha all of which she had by her husband ye above said Mr. Stephen Haskitt & were his children by him begotten of her body in Lawfull Wedlock being married to him by Doctor Ceanell in Exeter in ye Kingdom of England & whose sd husband served his time with one Mr. Thomas Oburne a chanceler and sope boiler in sd place & was ye reputed Sonne of — Haskitt of Henstredge (so called) in Summersetshire in sd Kingdom of England and hav often heard my sd husband say that he had but one brother whose name was Elias Hasket & that he lived in said Towne of Henstredge.

Elizabeth Haskitt

Sworne Salem May ye 30th 1698 before me John Hathorne one of ye Councill & Justice pe & Q in ye County of Essex in his Majties province of ye Massachusetts Bay in New England.

PRE-REVOLUTIONARY VESSELS

The colonial trading vessels were all small and lent themselves to the small ventures which were the custom of the times. The colonies in New England would have found it difficult to collect the outward cargoes for a large ship or to absorb the merchandise which could have been brought back. Few vessels in the Salem trade exceeded one hundred tons. The earliest picture of a Salem vessel is of the schooner *Baltick* in 1765. The earliest known original painting of a colonial vessel is that of the ship *Bethel* of 1745, in the possession of the Massachusetts Historical Society. Both of the above ships, with pictures of the *Quero* and the schooner *Hannah* of 1775, claimed to be the first armed Continental cruiser, are shown in the illustrations of "Colonial Trade and Commerce," by Francis B. C. Bradlee, a very interesting and valuable paper reprinted from the *Essex Institute Historical Collections*, Volume LXIII.

NON-IMPORTATION AGREEMENT OF THE SALEM
MERCHANTS

Salem, Sept. 6. "The Merchants and Traders in this Town having had several Meetings to consult Measures for the better Regulation of the Trade, which at present labours under great Difficulties and Discouragements; and being convinced that a further Importation of unnecessary Goods from Great-Britain would involve the Importers in still greater Difficulties and render them unable to pay the Debts due to the Merchants in Great-Britain, they unanimously VOTED not to send any further Orders for Goods to be shipped this Fall; and that from the first of January 1769 to the first of January 1770, they will not send for or import, either on their own account or on Commissions, or purchase of any Factor or others, who may import any Kind of Goods or Merchandizes from Great-Britain, except Coal, Salt and some Articles necessary to carry on the Fishery. They likewise agreed not to import any Tea, Glass, Paper or Painters Colours until the Acts imposing Duties on those Articles are repealed." *Essex Gazette*, September 6, 1768.

WORKS CONSULTED

TOWN HISTORIES

Joseph B. Felt, *Annals of Salem*.

I, Second Edition, Salem, 1845.

II, Second Edition, Salem, 1849.

Sidney Perley, *History of Salem*, I-III, 1924-26.

J. W. Hanson, *History of the Town of Danvers*, 1848.



SCHOONER BALTIC

Type of Pre-revolutionary Salem Vessel

Joseph B. Felt, *History of Ipswich, Essex, and Hamilton*, 1834.
 Samuel Roads, Jr., *History and Traditions of Marblehead*, 1897.

SPECIAL ARTICLES AND LOCAL BOOKS

Derby Account Books and Manuscripts at the Essex Institute.
 Perley Derby, "Genealogy of the Derby Family," *Essex Institute Historical Collections*, III, 154-167, 201-207.
 Robert S. Rantoul, "Voyage of the Quero," *Essex Institute Historical Collections*, XXXVI, 1-30.
 Francis B. C. Bradlee, "Colonial Trade and Commerce, 1733-1774," *Essex Institute Historical Collections*, LXIII.
 Edward Edelman, "Thomas Hancock, Colonial Merchant," *Journal of Economic and Business History*, I, 77.
 Robert E. Peabody, *Merchant Venturers of Old Salem*, 1912.
 George Francis Dow, *Two Centuries of Travel in Essex County, Massachusetts*, 1921.
 Harriet S. Tapley, *Salem Imprints*, 1927.
 Ralph D. Paine, *The Ships and Sailors of Old Salem*, 1909.
 Freeman Hunt, *Lives of American Merchants*, "Elias Hasket Derby," II, 1-28, 1856.

GENERAL WORKS

William S. McClellan, *Smuggling in the American Colonies*, 1912.
 Lord Sheffield, *Observations on the Commerce of the American States*, Second Edition, 1783.
 Lorenzo Sabine, *Report on the Principal Fisheries of the American Seas*, 1853.
 Thomas Hutchinson, *History of Massachusetts from the First Settlement thereof in 1628 until the year 1750*, 1795.
 George Washington, *The Writings of*. Edited by Jared Sparks. 12 vols., 1834.
 John Adams, *Works*, 10 vols., 1856.
 Adam Smith, *Wealth of Nations*, Hartford, 1804.
 John Stuart Mill, *Political Economy*.
 Howard Robinson, *Development of the British Empire*, 1924.
 John Fiske, *New France and New England*.
 Francis Parkman, *A Half-Century of Conflict*.
 George Bancroft, *History of the Colonization of the United States*, Fourteenth Edition, 1857.
 Timothy Pitkin, *Political and Civil History of the United States of America from the Year 1763 to 1797*, 2 vols., First Edition, 1828.

HISTORICAL COLLECTIONS

Essex Institute Historical Collections.

Massachusetts Historical Society Collections (especially 1st and 2nd Series).

The Essex Antiquarian (especially the plan of Salem in 1700 by Sidney Perley).

American Archives, edited by Peter Force, 4th Series.

New England Historical and Genealogical Register.

Note. In all of the above there are many notes, reprints of documents and genealogical comments of great value, but too numerous to list separately.

I am also greatly indebted to Mr. George Francis Dow and to Miss Harriet S. Tapley, who have read the manuscript and helped me with advice and suggestions.

DERBY WILLS

AND

LAND TITLES

WITH NOTES AND COMMENTS

DERBY WILLS AND LAND TITLES

WITH NOTES AND COMMENTS

- I. Will of Roger Derby, proved October 24, 1698
- II. Will of Richard Derby, probated December 3, 1783, with the indenture which adjusted the bequests
- III. Will of Elias Hasket Derby, probated October 7, 1799, and Inventory of his Estate
- IV. List of Deeds of land to Richard Derby and to Elias Hasket Derby with notes and comments

Note — I am greatly indebted to Mr. James E. Farley of Salem for examining and copying the wills and deeds included herein and for his intelligent assistance in investigating the purchases of Richard Derby and his son.

WILL OF ROGER DARBY

Probate No. 7591
Filed Oct. 24, 1698

IN THE NAME OF GOD AMEN

I Roger Darby of Salem make constitute & ordain this my last will & testament in manner & forme as follows revoking all other wils or testaments being now in perfect memory and understanding blessed is ye Lord for it.

viz. I give unto my beloved wife my new [or now?] dwelling house garding and yard excepting twenty six feet of front and the sope house running or kept in that bredth next Joseph Neals during her widowhood and if she doe not mary then during her natural life.

2. I give unto my eldest daughter Experince Darby five shillings money to be paid her in one yeare after my decease by my executrix hereafter mentioned she having had more than aproportionabel part alredy.

3. I give unto my eldest son Sam^{el}. Darby my house & land after my wifes widowhood or decease excepting the twenty six foot as above mensioned to him and his heirs forever and if they fail then to my son John and his sons if he have any survivors if not to my son Richard and his sons to be kept in the name of the Darbys also I give unto my son Sam^{el}. Darby ten shillings to be paid him in one yeare after my decease upon demand.

4. I give unto my son John Darby my warehouse lentows and wharf to him & his heirs excepting a convenient roome for my wife if she have any occasion also I give unto him ten shillings to be paid as above upon demand.

5. I give unto my son Richard Darby my sope house with the twenty six foot of land fronting to the street and so going backward across the garding to him and his heirs forever he allowing a covenant roome of going and coming without any intermision or let or hindrance as much as formerly & twenty pounds in goods as mony out of the movables when he come of the age of twenty one years.

6. I give to my beloved wife one third part of what God hath given me in money goods or dept. or anything other ways.

7. My other estate my will is it may be divided in six shares or parts as followoth over leafe. To my daughter Lucratia I give one sheare & half & four shears to my four youngest daughters namely Elisabeth and Margaret Ann and Martha and ye other half sheare three pounds in money to my daughter Lucratia out of it & the brase heads of a pare of andirons not to be in the half sheare but out of the whole the rest of the half sheare I leave towards bringing up my four youngest daughters with my wife I no that I have six pounds mony in my hands and some of thayr fathers houssall goods which thay must be payd I meane John dinnd —

Siven. Lastly I make my wife my executrix to deale uprightly and honestly with my children and if any of them should contend without just cause with my wife they are to

lose thair parts to the next inheritor. Dated in Salem the 26 day of July 1698.

Roger Darby

Signed and sealed in the presence of

Thomas Rucke

Joseph Duglas

Benj. Pickman Jr.

WILL OF RICHARD DERBY

Probate No. 7589

Filed Dec. 3, 1783

IN THE NAME OF GOD AMEN

I Richard Derby of Salem in the County of Essex in the Commonwealth of Massachusetts Merchant on this 27th day of October in the year of our Lord seventeen hundred eighty-three, do make my last Will and Testament & dispose of my wordly Estate in manner following.

First — I give and bequeath unto my well beloved Wife Sarah Derby her heirs & assigns all and singular the household furniture, goods, chattles & Estate of every kind & sort which she brought to me upon & after our Intermarriage & shall remain at my decease. I also give her my charriot, and my two charriot horses. Also the sum of One hundred pounds lawful money annually & every year while she shall remain my widow. Also my Negro child Peggy.

Item — I give and bequeath to my daughter Mary Crowninshield & to her heirs & assigns forever the house in which she lately dwelt now occupied by Joseph Moses with the land under and adjoining thereto, it being nearly opposite the meeting house in the East Parish in Salem with the appurtenances which I purchased of Christopher Babbages heirs — and I confirm to her all the household furniture & plate which I gave her about the time of her marriage & since, which plate and furniture were estimated at four hundred pounds lawful money — And I give to said Mary & her heirs and assigns forever my house called Ropes House in which she now dwells with all the outbuildings belonging to it, and my land under and adjoining to it & the privileges & appurtenances thereof — Also I give her the Debt of Four hundred pounds lawful money due on book from her husband

Capt. Crowninshield — And I give her my Negro Girl named Cate with her apparel — All which I estimate at Three thousand four hundred pounds lawful money.

Item — I give and bequeath to my daughter Martha Prince wife of Dr. John Prince and to her heirs descended from her body and to her assigns forever the Mansion House wherein she last resided at Salem with the Land under and adjoining to it with the appurtenances which land I purchased of the Widow Elisabeth Higginson — And I confirm to her all the household furniture & plate which I gave her about the time of her marriage — Also I give to her my Negro Man Caesar with his apparel — Also I give her one thousand pounds lawful money in specie to be paid to her within six months after my decease — all which I estimate at Three thousand four hundred pounds lawful money.

Item — I give and bequeath to my grandchildren John Gardner, Sarah Gardner & Richard Gardner the children of my daughter Sarah Gardner deceased to each of them the sum of One thousand pounds lawful money in specie to be paid in one year after my decease which Sum together with the household furniture & plate given to their mother at & since her marriage are estimated at Three thousand four hundred pounds — And in case either of said grandchildren shall die before he or she arrives to the age of twenty-one years without children then what is herein given to him or her (so deceasing) shall be equally divided among the surviving grandchildren, the children of said Sarah.

Item — I give and bequeath to my son Elias Hasket Derby and his heirs forever the land belonging to his warehouse & on which it stands extending from the street by my wharfe about sixty six feet southward be it more or less to the notch in the wharfe with the passageway & dockage westward of it.

Item — I give and bequeath the remainder of my estate both real, personal, & mixed, to my son, Elias Hasket Derby, one third part — to my son John Derby, one third part — and the remaining third part including the Mansion house, wharfe & buildings thereon which I gave to my son Richard, late deceased, I give and bequeath to his sons Richard, Samuel, Jonathan & Charles and to his daughters Lydia, Mary & Betsy and to their respective heirs forever, to be

divided among them in manner and proportion as my said Son Richard devised & ordered his estate to be divided among them — my intention is that the said children of my said son Richard Derby jointly should receive but an equal portion including the said Mansion house wharfe & buildings thereon with either of my said sons Elias Hasket & John Derby.

Item — I hereby appoint and empower my son in law John Gardner the third (who is one of the executors herein named) to join with my said sons Elias Hasket and John Derby or their respective agents or assigns in making a division of the residue aforesaid devising to them and said Children of my son Richard, so that said childrens part may be improved ordered & disposed of for their best advantage, the said John taking the advice of the executors of the testament of my son Richard in his proceedings therein in case he & they shall judge it most for the childrens benefit that their part be sold & in case the said children or any of them shall be then twenty one years of age he is to advise with them also and I hereby empower said John Gardner & his assigns to sell and dispose of the said childrens part of the residue devised as aforesaid accordingly — It is to be understood that the aforesaid Mansion house, wharfe & buildings which I gave to my son Richard are estimated & accounted at Two thousand pounds lawful money.

Item — I appoint and constitute my sons Elias Hasket Derby and John Derby and my son in law John Gardner the third above named the executors of this my Will & Testament and order them to pay my just debts & the legacies given to my wife and daughters as aforesaid, out of what I have given to my said sons Elias Hasket Derby John Derby and the children of my son Richard in equal proportions — And I leave the direction of my Funeral wholly to the discretion of my executors — IN WITNESS WHEREOF I hereto put my hand and seal this 27th day of October aforesaid in the year 1783.

Rich. Derby

Signed, sealed published & declared by the testator as & for his last will & testament in presence of us.

Wm. Browne
Nehemiah Holt
Thomas Saunders

Book 143, Page 30
Jan. 11, 1785

THIS INDENTURE made by and between Elias Hasket Derby of Salem in the County of Essex and Commonwealth of Massachusetts, merchant of the one part and John Derby of the same Salem, merchant, of the second part & John Gardner (lately the third) of the same Salem, merchant, of the third part.

Whereas Richard Derby late of the same Salem esqr. deceased & Father to the said Elias Hasket Derby & John Derby did in & by his last will & testament after therein devising several houses & other real estate & giving & bequeathing sundry legacies to certain persons herein named give & bequeath one third part of the remainder of all his estate, whether real, personal or mixt to his said son Elias Hasket Derby and one third part thereof to his said son John Derby and the remaining third part thereof including the Mansion House wharfe & buildings thereon which said Testator gave his son Richard Derby jun. then late deceased to Richard, Samuel, Jonathan, Charles, Lydia, Mary & Betsy, grandchildren of the said Testator & Children of the second named Richard Derby to their respective heirs forever to be divided among said grandchildren as is therein mentioned, the said Testator declaring his Intention to be that his said grandchildren jointly should receive but an equal Portion including said Mansion house wharfe & buildings thereon with either of his said sons Elias Hasket & John Derby & that it was to be understood that the aforesaid Mansion House are to be estimated & accounted at two thousand pounds lawful money.

It is agreed by and between the said Elias Hasket, John Derby for themselves and their heirs & said John Gardner on behalf of said grandchildren & their heirs (he Gardner being authorised as is aforesaid) in manner following that is to say that the said grandchildren & their heirs & assigns shall have hold possess & enjoy in severalty all that lot or piece of land situated in said Salem with all the buildings, outhouses & distill house thereon & all the utensils belonging thereto & bounded as follows, to wit, beginning at the Northwesterly corner thereof by a way leading to the Long Wharfe there so

called at a post there standing from thence runs North 73 degrees & 15 inches East 8 poles & 22 links, butting on land late David Phippen to land lately Jonathan Phelps, thence South 18 degrees East 3 poles & 17 links by said last mentioned land, thence South 72 degrees & 30 inches West 4 poles & 20 links partly by land lately Whitefoot's & partly by land lately Tozier's, thence South 9 degrees East 3 poles & 14 by the last said land, thence South 80 degrees West one pole & 10 links by said way, thence North 34 degrees West 7 poles & 12 links by the said way to the corner first above mentioned, with all the privileges & appurtenances thereto belonging, it being the same which the said Testator bought of one David Phippen by deed recorded B. 110, L. 265.

And also one other piece of land with all the buildings thereon adjoining & contiguous to the foregoing, it being the same which said Phippen conveyed to said Testator by deed dated 1st of Oct. 1770 and recorded B. 137 L. 146 of both which pieces the said Testator died seized which said two pieces together with the Mansion House & mentioned & valued as is above at the sum of two thousand pounds exceed the value of one third part of the residue of the real estate given as afore-said as it was valued & appraised by a committee appointed by the Judge of Probate for said County by the sum of one hundred thirty pounds sixteen shillings & eight pence which sum is to be paid as is hereinafter mentioned for equality of Partition; this is to be called Number one or first division.

And the said Elias Hasket Derby his heirs & assigns shall have hold possess & enjoy in severalty the following lots or pieces of Land with the Buildings thereon, being Number two or Second Division viz the Mansion House of said Testator & the land under the same and thereto adjoining & all the out-houses & buildings thereon, together with the wharfe & flatts fronting & belonging to the same the whole situated in said Salem & bounded as follows, viz Westerly on Derby's lane so called, there measuring 22 poles & 2 links, Northerly on Mansfields & Bates's land, there measuring 6 poles & 5 links, Easterly partly on Ingersolls land & partly on a cart way, there measuring 21 poles & 8 links, Southerly on Water Street so called, 7 poles & 2 links that said wharfe & flatts measuring

Northerly on said Water Street 8 poles & 12 links & continues Southerly the same width to the Channel of the South River there so called & is bounded Westerly by the wharfe & Flatts above mentioned to have been conveyed by said Testator to his said son Richard deceased & Easterly on Ingersolls wharfe & flatts or however otherwise the same may be bounded.

Also a piece of land containing about 9 rods & 2 links lying near the Northeasterly corner of the above described lot part of No. 2 & is commonly called Mannings land, bounded Northerly on Mannings land, 2 poles 18 links, Easterly 3 poles & 11 links on Browns land, Southerly 2 poles 16 links on Ingersolls land & Westerly on a passage way for a cart (which one Ingersoll has a grant off) 3 poles 11 links.

Also another piece or lot of land situated in said Salem with all the houses & buildings thereon & bounded Southerly on a way leading from said long wharfe to Palfry's lane so called, there measuring 79 feet & one half, Easterly on Palfry's land there measuring 226 feet and an half, Northerly partly on Prestons & partly Silsbees land there measuring 79 feet and & one half, Westerly on land belonging to said Elias Hasket & also the flatts & wharfe opposite to said last described lot on the Southerly side of said way, there measuring 79 feet & one half & extends that same width to the Channel of said South River & is bounded Easterly on Palfry's land & is the same land wharfe & flatts which one Timothy Mansfield conveyed to said Testator by deed dated 11th of Dec. 1760 & recorded Book 109, Leaf 78.

Also another piece of land & Flatts bounded Easterly on the last described piece of Flatts & Northerly on said way, there measuring 100 feet & extends that same width to the said channel, with all the wharves warehouses and other buildings thereon, it being the same which Josiah Adee conveyed to said Testator by deed dated 9th day of August A. D. 1762 & recorded Book 112, Leaf 140.

Also another piece of land & flatts bounded Easterly on the last described piece of land & flatts, Northerly on the last said way 88 feet & extends that same width to said Channel & is bounded Westerly on John Whites land & flatts with all the wharves stores warehouses & other buildings thereon, it

being the same which Margaret Silsbee & Mary Renew conveyed to said Testator by deed dated the 9th day of August 1762, recorded Book 112, Leaf 139.

Also the Interest & estate at Winter Island so called, being a lease from the town of Salem to said Testator for a term of years of a small piece of land & flats on which a wharfe & warehouse now stand he said Elias Hasket to pay & render the rent & services reserved & perform the covenants therein mentioned to be performed.

And also one full right or share in that division of the common lands in said Salem in the Great Pasture so called the whole of the above lying & being in said Salem.

And also an undivided Moiety of all the real estate lying in Gloucester in said County & which were taken by an Execution issuing out of the Clerks Office of the Inferiour Court of Common Pleas for said County of Essex on a Judgment recovered by said Testator against one Ephraim Shelden at an Inferiour Court of Common Pleas holden at Ipswich for said County in March A. D. 1773 which last said real estate was assigned in part satisfaction of said Execution as may thereby more fully appear.

The whole of which said pieces & lots of land, with the buildings respectively thereon, the said Testator died seized of & which at the value set on them by said Committee exceed the amount of the appraised value of one third part of the residue of the real estate given as aforesaid to said Elias Hasket by the sum of 1222 pounds 11 shillings & 8 pence, which sum is to be paid as is hereafter mentioned for equality of Division.

And that the said John Derby his heirs & assigns shall have hold possess & enjoy in severalty the following lots of land, with the buildings thereon, being Number three viz Twists farm so called being partly on the Neck & partly on Winter Island so called, containing about forty acres or be the same more or less, it being the same tract of land which one John Ives of Salem aforesaid Tanner conveyed to said Testator by deed dated the 16th day of May A. D. 1758, with all the buildings thereon & the privileges & appurtenances thereto belonging, saveing alwayes and excepting all & everything as is therein saved & excepted.

Also another piece of land wharfe & flatts with the warehouse & buildings thereon called Phippens wharf, bounded as follows viz. Beginning at a stake by the way leading to Long Wharfe so called near the Northeasterly corner of said warehouse & running from thence South 32 degrees 20 minutes East one pole 20 links by said way, then South 40 degrees East one pole & 22 links by the same way, thence South 80 degrees East 2 poles & 6 links by the same way, thence South 9 degrees East to the channel of said South River & thence Westerly by the same River until it comes to where a line running from said Channel North 1 degree & 30 minutes West will strike the Westernmost angle of Phippens wharfe so called and bounds by the same line from said channel to said angle, the said angle being at 10 poles & 19 links distant from the Eastermost angle measuring as the wharfe runs & on the outermost or Southerly part of the wharfe & from said Westernmost angle of said wharfe the line continues North 1 degree & 30 minutes West & runs 3 poles thence East 2 degrees South 2 poles, thence North 5 degrees & 30 minutes East 23 links, thence South 85 degrees & 20 minutes East 3 poles & 2 links to the said way leading to the long wharfe & to the stake aforesaid, together with the dock & dockage belonging thereto on the Westerly side thereof & is part of what said Testator bought of said David Phippen by deed recorded Book 110, Leaf 265 & the other part being afore assigned in Division No. 1 to said Grandchildren, with all the privileges and appurtenances thereof saving & excepting always all & whatever is in & by said deed saved & excepted.

And also another piece of land commonly called the Locust field & contains about 2 acres & $\frac{1}{2}$ of an acre or be the same more or less, it being the same which the said Testator bought of Edward Gebut by deed dated the 2nd day of May A. D. 1764 & recorded Book 111, Leaf 253 & of James Butler by deed dated eleven January 1765 & recorded Book 115, Leaf 155 & of others & is bounded Southerly on a lane leading from the training field so called to St. Peters Church there & measuring there not less than 65 feet & $\frac{1}{2}$ of a foot, Easterly partly on land belonging to the heirs of John Crowninshield deceased & partly on land of Henry Williams, Northerly on

the North River so called, thence Westerly on land lately Poyertons partly & partly on Landers land, thence Southerly partly on land of said Lander & partly on land of George Williams, then Westerly by said Georges land to the last said lane, the bounds being as the fences now stand excepting the fence at the Northern bounds.

Also another piece of land commonly called Englishes field & is bounded Southwesterly on Englishes lane so called, Southeasterly on Salem Harbour, Northeasterly on the Widow Mary Whitfords land & Northwesterly on John Touzels land, it being the same land which the said Testator bought of one Philip English by deed recorded Book 93, Leaf 22 & is dated 24th of February A. D. 1748 & of one Mary Browne by deed dated 4th of March A. D. 1761 & recorded Book 107, Leaf 169.

And also three full rights or shares in that division of the Common lands in said Salem in the Great Pasture so called.

Also two pews viz. Number 19 & 24 on the Floor of the Meeting House in the East Parish so called, the whole of the above described assignment to said John Derby and numbered three is situated in Salem.

Also a tract of salt marsh situated in Ipswich aforesaid & contains 8 acres & is the same which one John Manning sold to said Testator by his deed recorded Book 129, Leaf 115 as may appear, reference being had thereto.

And also one undivided Moiety of the real estate of said Testator situated in said Gloucester & which afore described, one undivided Moiety of which is afore assigned to said Elias Hasket, the whole of which pieces & lots of land & buildings respectively thereon & assigned to said John Derby & numbered three being the third Division the said Testator died seized of which at the value set thereon by said Committee with the aforesaid sums of 130 pounds 16 shillings & 8 pence.

WILL OF ELIAS HASKET DERBY

Probate No. 7571

Filed Oct. 7, 1799

This is the last will and testament of me, Elias Hasket Derby of Salem in the County of Essex and Commonwealth fo Massachusetts, merchant.

I do in the first place order, that all my just debts and funeral expenses shall be paid by my Executors hereinafter mentioned as soon as may be after my decease.

I do hereby give, devise and bequeath unto my son Elias Hasket, his heirs and assigns forever, One Seventh Part of all my Real and Personal Estate; such particular parts of my Real Estate as are herein expressly and specifically given to him, to be considered as part of his said Proportion at the value at which I herein estimate the same in particular I do give and devise unto the said Elias Hasket, his Heirs and Assigns forever the Dwelling house in which he now lives, with the Outhouses and the land under and adjoining the same, situate in Court Street so called in Salem aforesaid, which I estimate at six thousand three hundred and thirty four dollars; also One Undivided Seventh Part of my main or Long Wharf situate in Salem aforesaid, the same to be considered as beginning on a line with the front or east and west line of the Wharf herein after given to my Daughter Martha at the south end thereof, together with a Seventh part of all privileges as well of dockage as otherwise, as is hereafter mentioned and under the limitations hereafter expressed, together with this further privilege of placing and building a Store on the eastward side of said Long Wharf similar to and on a line with those already erected and, which I estimate at the sum of One Thousand dollars; and also the Old Store at the Southern end of said Long Wharf, which he, the said Elias Hasket shall within twelve months after my decease remove from where it now stands easterly on a line with the Stores already erected there and also Flats east thereof sufficient for placing the same upon and for the privileges and conveniences which the said other Stores have, which I estimate at the sum of Eight hundred and Thirty four dollars; and I myself direct, and my Will is, that my said son Elias Hasket shall stand charged with all such sums of money as at the time of my decease he shall be indebted to me in, either by Note or Book; And whereas I have discharged and made myself liable to discharge, several large debts owed by my said Son Elias Hasket, I do hereby order and direct, and it is my express Will, that in consideration thereof the sum of Ten thousand dollars shall be deducted from, and taken out of, the said Seventh

Part of my Estate herein given to my said son Elias Hasket, and that the same be given to and equally divided among my other Children; and it is my Will that the said sum of Ten Thousand Dollars shall be in full satisfaction for all sums advanced or to be advanced to my said Son Elias Hasket to discharge his debts as aforesaid, although the sums so advanced considerably exceed the said sum of Ten Thousand dollars, on account of the important Services which he did for me while in the East Indies and the addition which was thereby made to my Estate.

I do hereby give devise and bequeath unto my Son John, his Heirs and Assigns forever, One Seventh Part of all my Real and Personal Estate, such particular Parts of my Real Estate as are herein expressly and specifically given to him, to be considered as Part of his said Proportion at the value at which I herein estimate the same; in particular I do give and devise unto my said son John, his Heirs and Assigns forever my House and Land under and adjoining the same situate in Salem aforesaid and commonly called the New House bounding Southerly on Derby Street, so called; and also the House and Land which I purchased of the Heirs of Captain John White adjoining to the House and Land last mentioned; both of which I estimate at the sum of Three thousand six hundred and sixty seven dollars; And also my New Store on the Eastward side of the said Main or Long Wharf with the Land under and adjoining the same, with similar Privileges with the other Stores, and as is hereinafter mentioned and under the limitations hereinafter expressed; and also One undivided Seventh Part of the said Main Wharf and of all the Privileges as well Dockage as otherwise, as is hereafter mentioned and under the limitations hereafter expressed; both of which I estimate at the sum of Two thousand and Five hundred dollars; And I myself direct and my Will is, that my said Son John shall stand charged with all such sums of money as at the time of my decease he shall be indebted to me in, either by Note or Book.

I do hereby give, devise and bequeath unto my Son Ezekiel Hersey his Heirs and Assigns forever, One Seventh Part of all my Real and Personal estate, such particular parts of my Real Estate, as are herein expressly and specifically given to him,

to be considered as Part of his said proportion at the value at which I herein estimate the same; in particular I do give and devise unto my said Son Ezekiel Hersey, his heirs and assigns forever, my Brick Dwelling house with the land under and adjoining thereto and usually improved therewith situate in Salem aforesaid and bounded Southerly by Derby Street aforesaid which I estimate at the sum of Three thousand Three hundred and Thirty Four dollars; Also the house & land in Essex Street so called which I purchased of John Saunders in which said Ezekiel Hersey now lives & which I estimate at the sum of Three Thousand Three hundred & Forty dollars and also the Wharf and Flats in front of said House the West boundary line thereof to be the same as the West line of the Land belonging to the said Brick House which Wharf and Flats I estimate at the sum of Eight hundred and thirty four Dollars; And also One undivided Seventh Part of my said Main Wharf and One Seventh Part of all the Privileges as well of Dockage as otherwise, as is hereinafter mentioned and under the limitations hereinafter expressed, together with this further Privilege of placing and Building a Store on the Eastward side of said Main Wharf similar to, and on a line with the Stores already erected there; which I estimate at the sum of One thousand dollars; and also the Wharf and Flats which I purchased of the Heirs of Captain John White with the additions and Repairs made thereunto since I purchased the same, which I estimate at the sum of Sixteen hundred and Sixty Seven Dollars; And it is my express Will and desire, and I do accordingly direct and charge my said son Ezekiel Hersey, that he do not on my account sell the Wharf last mentioned to any person except the owner or owners of the said Main Wharf. And I myself direct and my Will is, that my said son Ezekiel Hersey shall stand charged with all such sums of money as at the time of my decease he shall be indebted to me in, either by Note or Book.

I do hereby give, devise and bequeath unto my son Richard his heirs and assigns forever, One Seventh Part of all my Real and Personal Estate such particular Parts of my Real Estate as are herein expressly and specifically given to him, to be considered as Part of his said Proportion at the value at which I herein estimate the same; in particular I do give and devise

unto my said Son Richard, his Heirs and Assigns forever a lot of land situate in Salem aforesaid and bounded Southerly by Derby Street so called Westerly by land of Simon Forrester and Easterly by Curtis Street so called, which I estimate at the sum of Two thousand dollars; And also the Store in which I now keep my compting house, with the land under and adjoining the same, including the first Birth on the said Main Wharf and extending as far Southerly as the Jog in the Wharf, which is 76 feet South from the Southerly end of said Store, and also the Dock to the Westward of said Store; which I estimate at the sum of Two thousand one hundred and sixty seven dollars; And also one undivided seventh Part of my said Main Wharf and a seventh Part of all the Privileges as well of Dockage as otherwise, as is hereinafter mentioned and under the limitations hereinafter expressed, together with this further Privilege of Placing and Building a Store on the Eastward side of said Main Wharf similar to and on a line with the Stores already erected there; which I estimate at the sum of One thousand dollars; and likewise direct, and my will is, that my said son Richard shall stand charged with all such sums of money as at the time of my decease he shall be indebted to me in, either by Note or Book.

I do hereby give, devise and bequeath unto my Daughter Elizabeth, the wife of Nathaniel West, her Heirs and Assigns forever, One Seventh Part of all my Real and Personal Estate, such Particular Parts of my Real Estate as are herein expressly and specifically given to her, to be considered as Part of her said Proportion at the value at which I herein estimate the same; in particular I do give and devise unto my said Daughter Elizabeth her heirs and assigns forever, One undivided Seventh part of my said Main Wharf and a Seventh Part of all the Privileges as well of Dockage as otherwise, as is hereinafter mentioned and under the limitations hereinafter expressed; and also the Land under and adjoining the Store which her said Husband has erected on the East side of said Wharf; which I estimate at the sum of One Thousand Dollars; And also all the Farm situate in Danvers in said County of Essex, which I purchased of John Epes and which I estimate at the sum of Two thousand Six Hundred and Sixty seven dollars; but it is my Will and desire that my said daughter

Elizabeth will not sell or dispose of the same Farm to a Stranger as it may injure such of my Family as may own the Farm which I purchased of Samuel Epes; And I likewise direct and my will is that my said son-in-law Nathaniel West shall stand charged with all such sums of money as at the time of my decease he shall be indebted to me in, either by Note or Book; And I do in addition to the foregoing give and confirm unto my said Daughter Elizabeth all and whatever I gave her at the time of her marriage.

I do hereby give, devise and bequeath unto my Daughter Martha, her Heirs and Assigns forever, One Seventh part of all my Real and Personal estate such particular Parts of my Real estate as are herein expressly and specifically given to her, to be considered as Part of her said Proportion at the value at which I herein estimate the same; in particular I do give and devise unto my said Daughter Martha her Heirs and Assigns forever One undivided Seventh Part of my said Main Wharf and a Seventh Part of all the Privileges as well of Dockage as otherwise, as is hereinafter mentioned and under the limitations hereinafter expressed, together with this further Privilege of Placing and Building a Store on the Eastward side of said Main Wharf similar to and on a line with the Stores already erected there; which I estimate at the sum of One thousand dollars; And also that Piece of Land and Wharf situate in said Salem which is bounded Northerly by Derby Street, so called, Easterly by the Wharf which I have herein given to my son Ezekiel Hersey, Southerly by the Front of the same as it now runs East and West and Westerly by a line which is to be Forty feet distant from the East side of the Store herein given to my Son Richard and parallel thereto, which said space or distance of forty feet is forever to remain and be kept open for a Way or Passage on to my said Main Wharf which said Piece of land and Wharf I estimate at the sum of Eight hundred and Thirty Four dollars; And also my Lot of land situate in Bridge Street so called in Salem aforesaid, which I estimate at the sum of Eight hundred and thirty four dollars; And in addition to the foregoing I do hereby give and confirm unto my said daughter Martha a certain Promissory note which I have made and passed unto her in lieu of the furniture and other things that I gave to my other Daugh-

ters at the time of their Marriage and I hereby order my executors hereinafter named to pay the contents of said Note to my said daughter Martha or her Assigns as soon after my decease as the same shall be demanded.

I do hereby give, devise and bequeath unto my Daughter Anstis the Wife of Benjamin Pickman Junior her Heirs and Assigns forever, One Seventh Part of all my Real and Personal Estate such particular parts of My Real Estate as are herein expressly and specifically given to her, to be considered as Part of her said Proportion at the value at which I herein estimate the same; in particular I do give and devise unto my said Daughter Anstis her Heirs and Assigns forever, One undivided Seventh Part of my said Main Wharf and A Seventh Part of all the Privileges as well of Dockage as otherwise, as is hereinafter mentioned and under the limitations hereinafter expressed, together with the further privilege of Placing and Building a Store on the Eastward side of said Main Wharf similar to, and on a line with the Stores already erected there; which I estimate at the sum of One thousand dollars; And also the House and Land situate in said Salem and bounded Northerly by Essex Street so called, and Southerly by Charter Street so called, which I purchased of Benjamin Pickman Esquire; which I estimate at the sum of Five thousand dollars; and I myself direct and my Will is, that my said son in law Benjamin Pickman Junior shall stand charged with all such sums of money as at the time of my decease he shall be indebted to me in, either by Note or Book; And I do in addition to the foregoing give and confirm unto my said daughter Anstis all and whatever I gave her at the time of her marriage.

All the rest and residue of the Real Estate of which I shall be seized at the time of my decease whatsoever and wheresoever not herein specifically devised, I do give and devise unto my said Children Elias Hasket, John, Ezekiel Hersey, Richard, Elizabeth, Martha and Anstis, their respective Heirs and Assigns forever, to be equally divided among them, the divisions to be made in such way and manner as they shall mutually agree upon.

And in case any portion or Parcel of any particular Part of my Real Estate hereinbefore described and devised should

happen to be sold, before my decease, it is my will and I hereby direct that the sum for which any such Portion or Parcel shall have been sold, shall be deducted from the sum to which the respective particular Part of my Real Estate to which such Portion or Parcel belonged, is herein before estimated, and that the sum remaining after such deduction made shall be considered as the true and only estimate of such particular Part of my Real Estate instead of the estimate hereinbefore contained.

And in order that my said Main Wharf may be improved in the way and manner most conducive to the benefit and advantage of all the owners thereof, my Will is, and I do hereby order direct, make and establish the following regulations respecting the same, to wit; that each of the several Store Lots herein given to my said Children on the Eastern side of said Wharf is to be ninety three feet long on the Main Wharf North and South, that the Western side of said Stores shall be on a line with those already erected and, similar to them and of equal width with them; that each of said stores shall be placed in the middle of its respective Lot; that each of the Owners of said Stores shall have the privilege of building on the North, East and West sides of said Stores respectively a small Wharf or Platform for the condition of the same but the said small Wharf or Platform on the East side of said Stores shall not be more than ten feet wide; that all goods wares and merchandizes taken on board any vessel from off said Platform on the East side of said Stores, or there landed, shall in no case pay wharfage to the other Owners of said Wharf, nor shall any vessel lying there pay any Dockage; that all the Flats which may be ten feet East of said East sides of said Stores and between that line and the West line of the Flats herein given to my Son Ezekiel Hersey are not to be builded upon, but are to be kept open to and for the use, convenience and accomodation of the Owners of said Long or Main Wharf and of the Lots given to my said Son Ezekiel Hersey and my said Daughter Martha; and the Owners of the said Main Wharf shall be and are hereby restricted from extending the said Wharf further Westward than on a line with the Jogs or Zigzags lately built there; and I do order and it is my Will that the Flats owned by me between the line last mentioned

and the West line of Flats purchased by me of the Heirs of Captain John White are to lie and be kept open forever, and be used in common for the convenience and accomodation of the Owners of said Main Wharf and of the Owners of the Wharves and Stores herein given to my Sons Ezekiel Hersey and Richard; And my Will is, and I do further order and direct that in locating the Lots for said Stores not already erected, on the Eastward side of said Wharf, my said several Children, excepting my son John and my Daughter Elizabeth who have Stores, shall elect their Lots according to their Seniority; and in case any one, whose right it shall be first to elect, shall neglect to make his or her election of a Lot, in writing under his or her hand for the space of twenty days after a demand so to do made by either of the others, he or she shall lose and forfeit his or her priority of election and the next in age may elect in the same manner.

And I do also request and desire my Executors as soon as may be after my decease to appoint some suitable person as a Wharfinger of said Main Wharf, who shall duly and seasonably collect all fees for Wharfage or Dockage and that they be the same as are taken and received at the Union Wharf in Salem aforesaid.

And my Will is and I do order, that if at the time of my decease any of my Vessels should be at sea, their Voyages being unfinished, that the same shall be carried on until their respective Voyages are completed and be considered for the general benefit of my Estate.

I do hereby give and bequeath unto my Brother John Derby of Boston in the County of Suffolk Merchant, in token of affection and good will towards him, my New Coachee, my Two dark colored mares which I imported from Europe, together with the Harness and Furniture belonging to the same.

I do hereby give and bequeath unto my Grandson Henry West, Son of Nathaniel West, a sum of money sufficient to complete his education which I leave to the discretion of my Executors to determine, and also the further sum of Three hundred and fifty dollars over and above what may be necessary to complete his education; the same sums to be paid to the Guardian of said Henry within six months after my decease.

I do hereby give and bequeath unto the widow Hannah Crowninshield the sum of Two hundred dollars.

I do hereby give and bequeath unto Mrs. Mary Elkins, Sister of my late Wife and her Assigns, the sum of Five hundred dollars.

I do hereby give and bequeath unto my Aunt Archer if she be living at the time of my decease, the sum of Three hundred and Thirty dollars, by four annual equal payments, the first payment to be made within thirty days after my decease; the Legacy to cease, if she should decease before all the payments become due, as do all sums then in arrear.

I do hereby give and bequeath unto Mr. James Jeffry, who is now in my Store, if he should there continue until my decease, the sum of Three hundred and thirty dollars in addition to his Salary, he to assist my Executors in making a settlement of my Estate.

I do hereby give and bequeath unto Mr. George Heussler my Gardener the sum of Three hundred and Thirty Dollars in addition to his Salary for his faithful services.

I do hereby give and bequeath unto Joseph Chandler the sum of Three hundred and Thirty dollars in addition to his Salary.

I do hereby give and bequeath unto my Negro Man, Saba, the sum of Two hundred and fifty dollars.

I do hereby give and bequeath unto my young Negro woman Rose, the sum of Two hundred and fifty dollars.

And I order and direct my Executors to pay the two last mentioned Legacies given to the said Saba and Rose unto my said Daughter Martha and my Will is that my said Daughter Martha put out the same on Interest and pay over to the said Saba and Rose the principal sum and Interest in such proportions and at such times, as she may think proper.

And lastly I do hereby nominate, constitute and appoint my Two sons Elias Hasket and John and my Son-in-law Benjamin Pickman Junior the Survivors or Survivor of them, Executors of this my Last Will and Testament, hereby revoking and making void all former Wills and Testaments at any time heretofore by me made, and declaring this to be my Last Will and Testament.

In Witness whereof I the said Elias Hasket Derby the tes-

tator have to this my Last Will and Testament, contained in this and in the six next preceding Pages consisting of this and one other sheet of Paper, set my Hand and Seal to wit My Hand to the Bottom of the said other Sheet and my hand and seal to this Sheet this Fourth day of September in the year of our Lord one thousand seven hundred and ninety nine.

Elias Hasket Derby (seal)

The writing contained in this and the Six next preceding Pages consisting of this and One other Sheet of Paper, was Signed and Sealed by the above named Elias Hasket Derby the Testator and by him published and declared as and for his last Will and Testament in the Presence of us who have hereto subscribed our names as Witnesses in the Presence of the Testator and each other, the words "One" "Seventy" and "Eighty five dollars" being first erased and the words "a Seventh Part of" "three" and "Thirty" being first interlined. Also the words "Also the House & Land in Essex Street so called which I purchased of John Saunders in which the said Ezekiel Hersey now lives & which I estimate at the sum of Three thousand Three Hundred & Forty Dollars" being first interlined.

Jacob Ashton

Jno Norris

Joseph Perkins.

INVENTORY OF ESTATE OF ELIAS HASKET DERBY LATE
OF SALEM ESQR. DECEASED

March 4th, 1805.

Recorded 372-167.

Real Estate

Mansion House & Land with the Buildings Stores, {	\$28000.
Wharf & Flats in Essex Street	
Farm purchas'd of Saml Epes with House Barn {	12000.
Hot House, Gardens &c 112 Acres	
Farm purchased of John Epes 76 Acres	4500.
House, Land & Outbuildings &c occupied by his Son {	
Hasket, 96 ft. front 100 ft. rear & 240 ft.	11000.
deep (in Court Street)	
House & Land occupied by his son Hersey in Essex Street {	4500.
58 ft. front & 284 ft. deep	
House & Land by B. Pickman junr Esqr in Essex Street {	10000.
67 ft. front & 290 ft. deep	

date on each deed is the date it was executed, the second the date of recording. It is noticeable that several of Richard's deeds were recorded after his death.

There were two main blocks of property on Derby Street. One began with the Lindall property, probably at the eastern corner of Derby and Herbert Streets, in 1735, and was extended northward by the Pickman purchase, in 1739, and westward across Herbert Street and to Union Street, in 1741, by the Swasey purchase. The elimination of the other Hasket heirs gave him, in 1742, four-fifths of the next lot to the east till sold in 1747. This was a large piece of property and was all bought while Richard Derby's children were young. It seems a safe assumption that he developed it for himself. When his daughter Mary was married, we know that she was cared for by the Babbidge house, purchased in 1757, the year she married.

The second large property on the residential part of Derby Street was also acquired in pieces and lay farther east, eventually covering most of the space from near Orange Street to Daniels Street. The little brick house was built in 1761, so must have been on the lot bought of Timothy Mansfield in 1760. Elias Hasket bought, in 1769, the Josias Adees lot next west and described it as abutting easterly on his land. In 1771, he also bought the John Elkins piece, and, in 1774, his father acquired the David Ropes property. These all connected and made a block around the little brick house, but we do not know how many dwellings were on these lots.

Connected with these two properties, the elder Derby kept buying flats on the water side of the highway, now Derby Street, till he had most of it from Union Wharf to Daniels Street. This water-front was bought, partly perhaps to retain the view from his houses to the harbor, but more likely for commercial purposes.

In 1748, he began to buy land farther east on Derby Street, with the deed from Philip English in 1748, and the Hilliard, Browne, and Ives deeds produced a very large area in this vicinity running down toward Winter Island.

Various miscellaneous pieces of land were bought both by Richard and Elias Hasket, not connected with the above properties, which are not always easy to locate from the

descriptions. Sundry properties near the Babbidge house were bought at various times and various parcels elsewhere on Essex Street. At least two lots were bought on the North River down Bridge Street, and two lots on Brown Street.

Elias Hasket bought the Pickman house on Washington Street in 1782, to live in after he left the little brick house, and, in 1784, the Browne and Sargent lots on Derby Square, to build his great mansion, and the Williams and Britton properties in South Salem.

The evidence in these deeds that Richard, senior, lived and probably died in the Deacon Lindall house, altered and no doubt enlarged by him, lies in these facts as shown in the deeds:

1. That he bought the Lindall house about the time of his marriage (1735) and immediately bought other land near it.

2. That he did not buy other land of a residential nature for over twenty years unless the English house (bought in 1748) can be so considered.

3. That most of his shipping must have been done from Union Wharf, in which he was a shareholder, which was close by. Derby Wharf appears to have been built by Elias Hasket after 1780.

4. That in the deed to Richard, junior, of 1781, he gave him a house on Long Wharf Lane, which was Union Street and which ran through to a lane east of it, which was Herbert Street, which divided it from "my own Mansion House," and which therefore located Richard's own house in 1781 on Herbert Street.

5. That the indenture which adjusted the titles under Richard's will identified this property as the Phippen property, bought in 1762.

6. That the same indenture also described "the mansion house of said testator" as bounded westerly on Derby's Lane, which was Herbert Street.

The evidence that Richard provided the little brick house for his son Elias Hasket on his marriage lies, so far as the deeds are concerned, in these facts:

1. That on her marriage Richard bought for his daughter Mary the Babbidge house.

2. That he bought the Mansfield lot where the little brick house stands in December, the year before Elias Hasket married, and that Felt says he built the house for Elias Hasket on his marriage.

3. That Elias Hasket bought no house for eight or nine years thereafter.

4. That when Elias Hasket bought of Josias Adee, in 1769, the lot next west of it, Adee describes the property as bounded easterly on land of said Derby, which can be explained only by the fact that Elias Hasket lived in the house, though we know he did not own it.

5. That in his will Richard gave each daughter, except Sarah, the house wherein she had lived, and also to Richard's children the house which he had given to their father. It is reasonable to suppose that the executors set off the little brick house to Elias Hasket because it was the one he had lived in.

6. That Elias Hasket was also given "The Mansion House of the said Testator," which property was described as bounded "westerly on Derby's lane," which was Herbert Street, so Richard must have continued to live in the Lindall house.

7. That Elias Hasket probably moved from the little brick house only when he bought the Pickman house at the corner of Washington and Lynde Streets when his children were coming of age in 1782, and when he needed more room and had acquired the wealth by Revolutionary successes to afford it.

The following classification of the deeds of both Derbys may be made to give a clearer idea of their operations, but the writer cannot be sure he has identified all locations correctly. The names of the conveyors and the dates of the deeds will identify them, as both groups of deeds are arranged chronologically.

<i>Lindall house and vicinity</i>		<i>"Little Brick House" property</i>		<i>English property and Winter Island</i>	
Lindall	1735	Mansfield	1760	English	1748
Pickman	1739	Adee	1769	Hilliard	1752
Swasey	1741	Elkins	1771	Ives	1758
Symmes	1742	Ropes	1774	Browne	1761
Pickman	1742	Mansfield	1779	Ives	1771
Phippen	1762				
Phippen	1770				
Ward	1795				
<i>Derby Street water-front</i>		<i>Babbidge house and vicinity</i>		<i>Brown Street property</i>	
Union Wharf	1759	Babbidge	1757	Gibaut	1764
Silsbee and Renew	1762	Bradish	1774	Butler	1765
Adee	1762	Crowninshield	1783		
		"	1791		
<i>Bridge Street property</i>		<i>Custom-House site (doubtful)</i>		<i>Essex Street land</i>	
Pickman	1783	Brown	1771	Higginson	1763
Woodbridge	1789	Patterson	1771	Fitch	1792
		Clifton	1792	Pickman	1794
		Watson	1793	Sanders	1795
<i>E. H. Derby residences</i>		<i>Miscellaneous</i>			
Williams	1780	Great Pasture		Smith	1740
Pickman	1782	Roger Derby's Estate		Ropes	1773
Browne (confiscated)	1784	Bad Debt		Conant	1774
Sargent	1784	North Salem		Epes	1782
Britton	1785	Turner St. House		Bowditch	1787
		Union Market		Peele	1792

DEEDS TO RICHARD DERBY

Book 74, Page 143
Sept. 18, 1735

James Lindall of Salem
to

Richard Derbe of Salem, mariner

A certain Dwelling House, Bake house, Shop, Barn & Out Houses with the land whereon they stand & thereto adjoining, situate in Salem aforesaid, late the Estate of John Langford, containing 60 poles of land more or less, with the flats adjoining

ing, bounded Southerly by the river to low water mark, Westerly on a lane, Northerly on land of John Pickman, and Easterly on land of Haskett or however otherwise reputed to be bounded, with all and singular the wayes, easements, creeks, rights, members, privileges & appurtenances to the premises belonging or in any wise appurtaining.

Note — This piece of land was probably that conveyed by John Ingersoll on May 6, 1657, to John Gardner¹ and by him or his son John conveyed on April 30, 1713,² to John Langford or Langsford. On March 11, 1734, Ezekiel Goldthwaite and Paul Mansfield conveyed it to James Lindall,³ stating that it was late of the estate of John Langford. This was probably lot 97 in Sidney Perley's plan,⁴ and then credited to John Ingersoll. It probably lay west of where Orange Street now is and probably at the corner of Herbert Street. Derby bought the place the year he married, and, as he bought no other house for several years, it is safe to assume that he bought it to live in. If we assume that this land was the same width as the piece he bought just north of it next mentioned, it was 60 feet wide on the water-front and about 280 feet long to make up the sixty poles. As the Swasey lot, bought in 1741, was described as near Derby's dwelling house, he undoubtedly dwelt on this site. With the rights acquired from the other Hasket heirs in 1742, he owned the north side of Derby Street from Union Street about to Curtis Street.

Book 78, Page 267

Feb. 7, 1739

Benjamin Pickman, Executor of Estate of John Pickman
to

Richard Derbe of Salem, mariner.

A certain piece or parcel of land aforesaid, containing 22 poles & 6/10, butting Northerly on land now or late of Timothy Mansfield, measuring 3 poles 3 feet seven inches; Easterly on land formerly of Haskett 6½ poles; Southerly on land of said Richard Derbe, 3 poles 11 feet 7 inches; & Westerly on a Lane or Highway there measuring 6½ poles

Note — The above merely enlarged Derby's lot toward Essex Street and away from the water. Captain John Hodges, Derby's brother-in-law, lived on Essex Street at the corner of Herbert Street, which is described in the Miles Ward deed of 1795 as "formerly Derby's lane."

¹ *Essex So. Dist. Deeds*, Bk. 1, p. 35.

² *Ibid*, Bk. 25, p. 184.

³ *Ibid*, Bk. 68, p. 57.

⁴ Sidney Perley, *History of Salem*, I, 313.

Book 80, Page 124
Sept. 22, 1740

John Smith, of Salem, shipwright
to

Richard Derbe, of Salem, mariner

One full right or Share in that Division of the Common Land in Salem called the Great Pasture, originally allowed to me for my now Dwelling house, with appurtenances.

Book 80, Page 220
Apr. 7, 1741

Samuel Swasey of Ipswich, shipwright, & Nath'l Swasey, of Salem, cooper

to

Richard Derby of Salem, mariner

About one-half Acre of land in Salem aforesaid near the Dwelling House of the said Richard Derby, butting Northerly on land formerly of Sam Beadey; Easterly on Lane or Highway; Southerly on the Harbour to Low water mark; & Westerly on Union Street (so called) with appurtenances.

Note — This piece of land is puzzling. It is about the size of the two pieces bought of Lindall and Pickman, is west of a lane, and runs to Union Street. While it does not say it is across the lane which bounded westerly the two pieces previously bought, it implies it by saying, "near the dwelling of the said Richard Derby." This would make the lane Herbert Street. If this piece runs from Herbert Street to Union Street, its depth would be comparatively small.

Book 84, Page 116
Jan. 28, 1742
Feb. 7, 1742

Hannah Symmes of Salem, widow, one of said daughters of Stephen Hasket late of said Salem, deceased

to

Richard Derby of Salem aforesaid, mariner

All her right, estate, title, interest, inheritance, property claime & demand whatsoever both in law & equity which she now hath or ever had or may or ought to have as daughter of said Stephen Hasket deceased or by any other ways & means, whatsoever of in & unto his homestead, houseing & land situate in Salem aforesaid, and also of in & unto the whole of said estate real personal & mixt of said Stephen Hasket

deceased; and whereof he died seised & possessed, and also all her right & interest claime & demand of in & unto the whole of said real & personal estate whereof aforesaid, with said rights, members, profits privileges & appurtenances remainder & remainders thereof.

Book 84, Page 117

Jan. 28, 1742

Feb. 1, 1742

Benjamin Pickman of Salem, executor of the last will and testament of John Pickman, late of said Salem, mariner, deceased,
to

Richard Derby of Salem aforesaid, mariner

All the Right, Estate, Title, Interest, Inheritance, Property, Claime and Demand whatsoever, both in Law & Equity which the said John Pickman deceased & his heirs ever had now have or may or ought to have as the said John was one of the grandchildren of Stephen Hasket late of said Salem — deceased, or by any other ways & means whatsoever of in & unto the homestead houseing & land of said Stephen deceased situate in Salem aforesaid, and also of in & unto the whole of the estate Real Personal & Mixt of said Stephen deceased & whereof he died seised & possessed, and also all the Right & Interest, Claim & Demand of said John & his heirs of in & unto the whole of said Estate Real & Personal of Elias Hasket late deceased late uncle of the said John deceased & whereof the said Elias died seised, situate in Salem aforesaid or elsewhere, with the rights, members, profits, privileges & appurtenances to the same belonging or appertaining and of reversion & reversions, remainder & remainders thereof.

Note — Derby already had a claim on the Stephen Hasket property through his mother, his uncle Elias Hasket, and his step-grandmother, all of whom were children of Stephen Hasket. The above deeds of January, 1742, closed out all other claims except the Ingersolls' to the long narrow lot east of the property bought of James Lindall in 1735.⁵ Assuming this to be true, it enlarged his home property as far as he desired, but he sold this property back to the Ingersolls in 1747.

⁵ See map in *Essex Antiquarian*, X, 115.

Book 93, Page 22
Feb. 24, 1748

Phillip English, of Salem, innholder
to

Richard Derby of Salem, mariner

One certain piece or parcel of land, situate in Salem aforesaid, containing $1\frac{1}{2}$ acres more or less with Dwelling House thereon where I now dwell, with a Ware House & Wharf on said land, being my part of the Est. that belonged to my mother Mary English, alias Hollingsworth, deceased, & set off to me the said Phillip by a lane, bounded Southwesterly on English's Lane, Easterly on the River or Salt Water, Northeasterly & Northwesterly by land of other heirs as set out by commission.

Note — This piece of land had no connection with the earlier purchases. It lay several blocks east, was east of English Street, and ran down to the water and included the wharf near where Phillips's Wharf now stands. The words, "where I now dwell," refer of course to English and not to Derby. This went to John Derby in the division.

Book 98, Page 36
Nov. 20, 1752
Nov. 20, 1752

Edward Hilliard of Salem, Ropemaker, with the consent of Elizabeth my wife

to

Richard Derby of said Salem, merchant

A certain piece of Land in Salem containing about an acre & an half bounded Easterly on Land late of Benj. Ives dec. Southerly on ye South River or harbor to low water mark, Westerly partly on Crowninshield's Land & Westerly on a highway, being all ye homestead land whereof my Hon. Father Joseph Hilliard lately died seized with the dwelling House wharfe & rope walk or Long House thereon, standing & ye Kittle, forelocks, wheels, bolts & all other tools used by ropemakers therein or thereto belonging & which have been there used, also ye liberty of improving ye way or ye back side of said Long House with carts or otherwise from ye highway aforesaid to ye harbour or to Crowninsheld's House and all & singular the ways, rights, members and appurtenances to the premises belonging.

Note — This piece of land was located probably eastward from the

main plot bought of Philip English, in 1748, along the water-front. It should be noted that the Winter Island deed of 1758 (next but one below) mentions Benjamin Ives, so the rope walk probaby was on or near the neck. Derby sold it again the next year to Clifford Crowninshield.

Book 105, Page 16

Nov. 8, 1757

Mehetabel Babbidge, of Salem, Spinster, Administratrix of Estate of
Christopher Babbidge, late of Salem,
to

Richard Derby of said Salem

The late Mansion House of said Christopher Babbidge deceased with the land under, adjoining & belonging thereto in Salem aforesaid, bounded as follows: Southerly on the Main Street & there measures 90 feet; Northerly on Common Land or a way 85 feet; Westerly on Land of Nath'l Andrew 136 feet; Easterly on land of Samuel Carlton 147 feet, with the Barn thereon & the appurtenances & privileges thereof.

Note — This house, on the north side of Essex Street and back to the Common, Richard Derby bought for his daughter Mary, who had this year married Captain Crowninshield. There is a picture of it in Perley's *History of Salem* (II, 309). Richard gave it to Mary Crowninshield by will when he died. It was entirely separate and away from the Derby Street water-front property, but near the widow Hannah Crowninshield's house, which Elias Hasket later bought.

Book 144, Page 140

May 16, 1758

June 16, 1785

John Ives of Salem in the County of Essex, tanner, with the consent
of Sarah my wife
to

Richard Derby of said Salem, merchant

A certain tract of land lying partly on the neck & partly on Winter Island so called, in Salem aforesaid now in the occupation of one Jona. Twiss, containing by estimation about forty acres be the same more or less, including all that parcel of land containing about 28 acres be the same more or less which was granted & conveyed to my late father Benja. Ives since dec. by John Higginson since also dec. by his and dated the 8th day of April A. D. 1730 recorded in the office for the

Registry of Deeds for said County, Libro 55, Folio 92, also that parcel of land containing three quarters of an acre more or less which was granted & conveyed to my said father by one John Abbot by his deed dated the 16th day of August 1738 recorded in the said office, Libro 74, Folio 176 & also those two pieces of land one containing about an acre & an half & the other three acres & one hundred & thirty one poles the reversions whereof were given & granted to myself & others by the inhabitants of the town of Salem aforesaid at their meeting on the 15th instant, bounded in the whole as follows viz: Northeasterly & Easterly by the sea & on all other parts by the towns pastures called the Neck & Winter Island & by the causes leading from said neck to said Island as the fences now stand & as the same is enclosed therewith so far as the same fence runs together with the whole of the stone wall & fence on & about the premises, with all the buildings thereon, the appurtenances & privileges thereof. Saving only a small piece of wall on the Westerly or Northwesterly side of the premises belonging to the town of Salem.

Saving as aforesaid & provided also with respect to the two pieces of land granted by the Inhabitants of said Salem as aforesaid that the said Richard Derby & his heirs & assigns shall always maintain & uphold the fences between the same pieces of land & the town land adjoining thereunto & also between the land purchased by my said father Benj. Ives of John Higginson as aforesaid & that upon twelve months neglect thereof after notice given them the said Richard Derby his heirs & assigns or any of them by the Selectmen of said Salem for the time being then this grant of the said two pieces of land granted by the Inhabitants of said Salem as aforesaid as well as the grant of said Inhabitants thereof is to be void.

Note — This purchase is connected with Richard Derby's lease of Palmer's Head, on Winter Island, from the town in 1755 for one thousand years at one shilling a year. For a long time he had a wharf and warehouse there.⁶ It should be noted also that on September 21, 1759, he purchased the Ives farm in Danvers, on the Danvers and Peabody road, which became his country estate, from the sisters of John Ives, who sold this property.

⁶ See Felt's *Annals of Salem*, I, 195.

Book 162, Page 24

Feb. 23, 1759

Nov. 9, 1796

Benjamin Lynde Esq. for 3/24ths part, Ichabod Plaisted Esq. for 3/24ths part, Saml. Barton Esq. for 1/24th part, Joseph Bowditch Esq. for a twelfth, Eben Bowditch, merchant, for a twelfth, Jonathan Gardner, merchant, for a twelfth, John Barton, Apothecary, for a twenty fourth, Timothy Orne, merchant, Saml. Orne, merchant, John Orne, merchant, Saml. Gardner Esq., Lois Lee, widow, James Diman, Clerk & Mary his wife for one twelfth, Nath. Archer, cooper, for a twenty fourth, Warwick Palfray, merchant, for one twenty fourth, Walter Palfray, pailmaker, for a twenty fourth, all of Salem, in ye County of Essex, William Browne Esq. of Beverly in ye same county, for a twelfth, John Browne, merchant & Eunice Plaisted, widow, both of Boston in ye County of Suffolk for one twelfth part

to

Richard Derby of said Salem, merchant

A parcel of Flatts in said Salem on ye Easterly side of Union Wharf, so called, bounded Northerly & Easterly on land & flatts of said Derby, Southerly on flatts or ye channel belonging to ye proprietors of said wharf by a line running due East from said wharf, and Westerly by said wharf, there measuring 150 feet, from ye North part of ye string which leads on to ye wharf, Southward to a bound which is 90 feet Southward from ye wharf which ye Derby hath lately joyned to ye Union Wharf & is within about 6 or 8 feet of ye channel where a passage is open in said wharf with a Bridge over it with ye liberty of joyning his wharf on & to ye said Union Wharf as far as ye flatts hereby granted bound on said wharf & all ye appurtenants & privileges to ye same flatts belonging.

Note — This must have been bought to clear up the title to some flats that adjoined the Swasey lot, purchased in 1741, and which seemed to run to Union Wharf. It evidently was not considered of importance because, while bought in 1759, it was not recorded till 1796, long after Richard Derby died, but it gave him his first grip on Union, usually called Long Wharf. It shows who were the proprietors of Union Wharf in 1759.

Book 109, Page 78

Dec. 11, 1760

Dec. 27, 1760

Timothy Mansfield of Salem, fisherman,
with the consent of Abigaile my wife
to

Richard Derby of said Salem, merchant

A piece of land in ye East Parish so called, in said Salem, bounded Easterly on Land of Warwick Palfray 226 feet and an half, Southerly on a way 79 feet and an half, Westerly on Land of Josiah Adee in part & partly on land of Sarah Bean & partly on my other Land formerly of Estate of my late father Paul Mansfield deceased & there measures in ye whole 218 feet & Northerly of Lands of William Webster & Nath. Silsbee 79 feet and an half, together with the Flatts on ye front or fourth end of said premises & of ye same width viz. from ye fourth side of said way down to low water mark, with all & singular ye appurtenances & privileges to said premises belonging.

Note — This Timothy Mansfield was a son of Paul Mansfield, who married Timothy Laskin's widow. The Laskin lot was somewhat east of Orange Street, but the Paul Mansfield lot, and possibly another lot lay west of it along Orange Street, according to Perley's map in *Essex Antiquarian* (X, 115). On this lot must have been built, in 1761, the brick, so-called, "Richard Derby house." That was the year Elias Hasket Derby was married. Captain Richard Derby, junior, was married in September, 1759. The house might have been built for either of them, but Felt's *Annals of Salem* (I, 415) says it was built for Elias Hasket by order of his father Richard Derby. It was set off to Elias Hasket Derby in the division of the property, while Richard junior's children got the house on Union Street.

Book 107, Page 169

Mar. 4, 1761

Mar. 16, 1761

Mary Browne of Salem, widow, daughter and one of the heirs of
Phillip English formerly of said Salem, merchant deceased
to

Richard Derby of said Salem, merchant

A lot of land in the East Parish so called in said Salem, being two lotts lying contiguous formerly called Dicers and Parkers, containing about an acre and five poles, which was assigned to me in the Division of the Real Estate of my said Father

Phillip English deceased and is bounded Westerly on said Derby's Land formerly Hollingsworth's and there measures 408 feet, Northerly on land now or late Touzels in part and partly on land late of Joseph Browne deceased measuring against said Touzels land 55 feet & against said land late Joseph Brownes 52 feet and so in the whole 107 feet, Easterly by land in ye occupation of Saml. Whitford, measuring from said Brownes Land, Southerly 312 feet where this piece of land now granted is 130 feet in Breadth and thence this East Side line continues in the same course to the way and Southerly by said way where it is supposed to measure about 140 feet. Together with the wharfe thereto belonging and ye flatts and Land on the front of said piece of land and on the South Side of said way and belonging to said lotts, with the privileges and appurtenances thereof.

Note — This is another section of the purchase of the Philip English property which began with the deed from Philip English, February 24, 1748, mentioned above and went to John Derby.

Book 112, Page 139

Aug. 9, 1762

Aug. 20, 1763

Margaret Silsbee & Mary Renew, both of Salem
to

Richard Derby of said Salem, merchant

A piece of Beach Land in said Salem on the South side of said way leading from the Long Wharf to Palfrays Land so called, butting Northerly on said same way 88 feet & extends Southerly keeping that width to said Channel of the South River so called & butts Westerly on land of John Masury & Easterly on land late of Sarah Mansfield, and is opposite to said land on the other side of said way, contained in a deed from David Harwood to Robert Abbot, dated the 12th day of March, 1741, recorded with Registry of Deeds in said County, Book 82, Page 80, with the privileges & appurtenances thereof.

Note — This and the next piece of beach land lay between "the way leading from Long Wharf to Palfrays land" (which was laid out as a street in 1767 and called Derby Street in 1774), and were apparently not contiguous, but were nearly opposite the little brick house, and strengthened Derby's grip on the water-front. It was assigned to Elias Hasket Derby in the division of the property.

Book 112, Page 140
 Aug. 9, 1762
 Aug. 20, 1763

Josias Adee of Salem, mariner
 to

Richard Derby of said Salem, merchant

A piece of Beach Land & Flatts in said Salem on said South side of the way leading from the Long Wharf to Palfrays Lane so called, sometimes called Hardy's Lane, butting Northerly on said way from said wharf to said lane where it measures 100 feet in width and extends Southerly keeping said same width to the channel of said South River so called and butts Westerly on land & flatts formerly of Robert Abbot & Easterly on Beach and Flatts late of Timothy Mansfield.

It being opposite to the land on the Northerly side of said way contained in a deed from Sarah Mansfield to me, dated April 7, 1749, with the privileges and appurtenances thereof.

Note — This land was set off to Elias Hasket Derby in the division of the property. The deed from Sarah Mansfield has not been located.

Book 110, Page 265
 Nov. 2, 1762
 Dec. 21, 1762

David Phippen, with consent of Priscilla my wife
 to

Richard Derby

A piece of land in said Salem, containing 38 poles and a half, bounded as follows:

Beginning at the Northwesterly corner thereof by the way leading to the Long Wharf so called, at a post there standing and from thence runs North, 73 degrees and 15 minutes East 8 poles and 22 links of the chain, butting on my own land to land of Jonathan Phelps, and thence South 18 degrees East 3 poles and 17 links of the chain by said Phelps's Land; thence South 72 degrees and 30 minutes; West 4 poles and 20 links of the chain partly by land now or late Whitefoots and partly by land of Ebenezer Tozier; thence South 9 degrees; East 4 poles and 14 links of the chain by said Tozier's land; thence South 80 degrees West one pole and 10 links of the chain by said way; and thence North 34 degrees West 7 poles and 12

links of the chain by the same way to the corner first mentioned.

Also another piece of land in said Salem with the warehouse and wharves thereon on the opposite side of said way and in said Salem bounded as follows:

Beginning at a stake by the said way near the Northeasterly corner of said warehouse and running from thence South 32 degrees & 20 minutes East one pole and 20 links of the chain by said way; thence South 40 degrees East one pole and 22 links of the chain by the same way; thence South 80 degrees East 2 poles & 6 links of the chain by the same way and thence South 9 degrees East to the channel of the South River; and thence by the same channel until you come to where a line running from said channel North one degree and 30 minutes West will strike the westernmost angle of Phippen's Wharf so called and bounds by ye same line from said channel to said angle, the same angle being at 10 poles and 19 links of the chain distance from the Eastermost angle measuring on the wharf runs & on the outermost or Southerly part of the wharf and from the said Westernmost angle of said wharf the line continues North one degree and 30 minutes West and runs 3 poles; thence East 2 degrees South 2 poles; thence North 5 degrees and 30 minutes East 23 links of the chain; thence South 85 degrees and 20 minutes East 3 poles and 2 links of the chain to the way leading to the Long Wharf and to the stake aforesaid, together with the dock and dockage belonging to the premises on the Westerly sideline thereof.

Also liberty of a way of 12 feet in width to remain and be in common between said Derby and his heirs and assigns and me and my heirs and assigns forever from the highway by & next the North End of said warehouse and round by ye Northwesterly side of the same Warehouse as far Southward as my wharf there unsold runs.

Note — These two important pieces of land were on either side at the head of Union or Long Wharf. The compass directions enable one to draw diagrams of them to scale and show their curious outlines. They gave Derby a firm grip on this important wharf property.⁷ It was set off mostly to Captain Richard Derby's children after their grandfather's death, but a part went to John Derby.

⁷ See also Felt's *Annals of Salem*, II, 373.

Book 111, Page 162

Mar. 7, 1763

Mar. 12, 1763

Elizabeth Higginson of Salem, widow, sole executrix of the last will and testament of Stephen Higginson, late of said Salem, Esquire, deceased

to

Richard Derby of said Salem, merchant

A piece of land in said Salem, it being part of said Testators late Homestead land, bounded Northerly on the Main Street and there measures from the underpinning at the East End of the said Testators late Mansion House, Easterly 55 feet and 3 inches ending at 6 inches distance Westward from Samuel Barton Esquire's Warehouse and from thence butts Easterly by a Strait Line from said Street to the North End of the Garden Fence near the Southwest corner of said Barton's Barn (this line running within three inches of the Southwest corner of said Barton's Warehouse, that is to say at three inches distance from the same corner) and thence it butts on the Garden Fence to the Southeast corner of the Garden, being the corner of said Barton's Garden and there measures from the said Street 8 poles or thereabouts then butts Southerly on land of said Eliza. by her purchased of William Pynchon Esquire as the Fence there stands, measuring there 3 poles and 8 links of the Chain and thence butts Westerly on other Land late of said Testator by a strait line to the Southeast corner of said Mansion House and there measures 6 poles and 12 links of the Chain or thereabouts and thence butts on ye land the same house stands on by the underpinning of the same to the street aforesaid and there measures one pole and six links of the chain or thereabouts, with the privileges and appurtenances thereof.

Excepting and saving nevertheless to the heirs and legatees of the said Stephen the testator and their heirs and assigns forever and all such person and persons as shall hold and occupy the Mansion House and Land on the West side of the said bargained premises liberty to continue the Roof of the same Mansion House as it now is and in case that House shall be demolished or destroyed or pulled down to set up and build another house or houses with a like Roof in the same place

and in like manner with as much of the Roof thereof over the said granted premises and also the liberty of entering upon the land above granted by the East End of the same Mansion House now standing from time to time as occasion shall be for repairing the same house and for building and repairing any other house on the Spot where that stands and with the needfull materials for that purpose and also liberty to set and keep up three posts not exceeding twelve inches diameter each in the Land above granted next the East End of said House and to adjoyn to it and for such posts there to remain and be renewed from time to time for securing the same End of said House and Houses from any damage by Carts or Carriages passing upon or over the same premises or otherwise.

Note — This house was given to Martha Derby on her marriage to Dr. John Prince, and was confirmed to her by Richard's will.

Book 112, Page 140

Mar. 7, 1763

Mar. 12, 1763

Elizabeth Higginson of Salem in ye County of Essex; Widow
to

Richard Derby of said Salem, merchant

A piece of land in said Salem bounded Easterly partly on the Orchard Land so called of Samuel Barton, Esq. and partly on Brownes Land so called, as the Fence there stands & there measures from the Southeast Corner of the Garden late of my husband Stephen Higginson dec. 11 poles & 10 links of ye chain, to the land I lately purchased of John Dampney, & thence butts further Easterly on land called Brownes Land as the fence stands 4 poles & six links of ye Chain, then Southerly on Mugfords Land 2 poles & eleven links of ye Chain, then Westerly on my other land 4 poles & 4 links of the Chain to a Bound in ye Center of ye North Side Line of ye Land I purchased of said Dampney, which Bound is at 2 poles 18 links & an half distance Westerly from the line of ye land called Brownes Land aforesaid, & thence it butts further Westerly by my own land which I purchased of William Pynchon Esq. by a strait line, measuring 11 poles & about 12 links of ye chain to a mark in the Fence of ye Garden late of my said Husband, which mark in ye Fence is at 54 feet 10

inches distance Westerly from the Southeast corner of ye same Garden & then butts Northerly on the same Garden & there measures the said 54 feet & 10 inches, to the Northwest corner of said Bartons Orchard with the Privileges & appurtenances thereof.

Note — This land was on the south side of Essex Street, east of Derby Square.

Book 111, Page 253

May 2, 1764

May 7, 1764

Edward Gibaut of Salem, mariner
with the consent of Sarah my wife
to

Richard Derby of said Salem, merchant

Seven tenth parts of a piece of land in said Salem containing in ye whole one acre & 27 poles & eight tenth parts of a pole, butting Southerly on a Lane or highway, there measuring four poles & six inches, Westerly partly on Williams's Land & partly on said Derby's land, there measuring 46 poles, Northerly on the North River so called, there measuring as the fence stands 4 poles & 2 feet and Easterly partly on Williams's Land & partly on Crowninshield's Land, there measuring 46 poles ten feet & six inches, with ye rights, members & appurtenances thereof.

Note — This and the subsequent deed seem to cover exactly the same piece of land and do not seem to present any means of identification, but the indenture which settled Richard's will shows that they were located on Brown Street, back of Saint Peter's Church, and went to John Derby.

Book 115, Page 155

Jan. 11, 1765

Jan. 25, 1765

James Butler, jun. of Boston, in the County of Suffolk, Hatter, with
the consent of Mary my wife
to

Richard Derby of Salem, in the County of Essex, merchant

A piece of land in said Salem containing in the whole one acre & twenty seven poles & eight tenth parts of a Pole, butting Southerly on a Lane or highway there measuring 4 poles & 6 inches, Westerly partly on Williams's Land & partly on said

Derby's Land there measuring 46 poles, Northerly on the North River so called as the Fence there stands 4 poles and 2 feet, & Easterly partly on Williams's Land & partly on Crowninshield's Land there measuring 46 poles 10 feet & 6 inches, with the Rights, members & appurtenances thereof.

Book 137, Page 146

Oct. 1, 1770

July 31, 1783

David Phippen of Salem in the County of Essex, gentleman
to

Richard Derby of said Salem, merchant

A piece of land in said Salem, containing 10 poles & nine tenth parts of a pole butting South a little, Easterly by a line running from the way, North 76 degrees & 30 minutes East by said Derby's land on part whereof his distil house stands 8 poles & 21 links of the chain, West a little Southerly on said way 20 feet thence the line of the premises runs by my other land, North 76 degrees & 30 minutes, East 9 poles & 4 links of the chain & thence the line runs Southerly 20 feet to the Southeasterly corner of the premises, butting eastwardly on land of Thomas Safford which he bought of Jona. Phelps, with the privileges & appurtenances to the premises belonging.

Note—This is evidently a small piece of land near the earlier purchases from Phippen in 1762, but it is difficult to tell whether north or south of the way now called Derby Street, probably south. Set off to the children of Captain Richard Derby after their grandfather's death.

Book 122, Page 231

Feb. 9, 1773

Feb. 19, 1773

Samuel Ropes of Salem in the County of Essex, cordwainer
to

Richard Derby of said Salem, merchant

A piece of land in said Salem bounded Southerly on the Main Street 73 feet and 8 inches, Westerly on land late of Samuel Sibley deceased now or John Higginson, Esq. 99 feet, Northerly on land late of my Father Samuel Ropes deceased 39 feet, and Easterly on land of said Derby 68 feet and 6 inches with the buildings thereon and the privileges and appurtenances

thereof; including all the Land which belonged formerly to Roger & Samuel Derby, which they sold to Roger Peele, from whom it was taken by four executions which are recorded in the Registry of Deeds for this County in Book 91, whereby, and by Purchase of Two of the Creditors of said Peele, I hold the same Referring nevertheless to my Brother Benjamin Ropes his shop on the premises, and the under-pinning, and Stones of the Cellar, and Liberty to remove the same at any time within nine months from the date hereof.

Note — This was a repurchase of the old Roger Derby estate on Essex Street, near Monroe Street, which Roger had left to Richard's uncle and which his cousins had sold. Richard inherited the soap-house property, which lay east of this estate, from his father and grandfather. He deeded this property to his grandson the following year.

Book 133, Page 50
Mar. 31, 1774
Mar. 31, 1774

David Ropes of Salem

to

Richard Derby of said Salem

A piece of land in said Salem with the dwelling house and other buildings thereon; bounded Southerly on Derby Street (so called); Westerly on a Lane; Northerly on land of the widow Abigail Tozser; and Easterly on land of Timothy Mansfield and land lately Eleazor Giles', to the street aforesaid.

With the appurtenances referring a private way over the premises as mentioned in a deed from Abigail Hooper to Joseph Mansfield, recorded in the Registry of Deeds for this County, Book 60, Leaf 265. which private way is there said to belong to Paul Mansfield.

Note — This is the lot at the corner of Orange and Derby Streets. It is difficult to see by Perley's map why it does not abut easterly on the land Derby bought of Timothy Mansfield, in 1760, in the deed given above. Possibly a narrow lot belonging to Josiah Adee at one time⁸ lay between, or this lot might have gone back to Timothy Mansfield.⁹

⁸ See Adee's deed of 1762, above.

⁹ See his deed to E. H. Derby in 1779.

Book 133, Page 138

June 17, 1774

June 24, 1774

Billings Bradish of Danvers in the County of Essex, Baker
to

Richard Derby of Salem in said County, merchant

A Dwelling House and other buildings with the Land whereon the same stand, situated in said Salem & bounded North-westerly on the Main Street, Westerly on Dean's Land, Southerly and Easterly on Matthew Mansfield's Land, with the appurtenances, being the same which I lately occupied.

Note — Probably on the south side of Essex Street, north of some of Derby's holdings on Derby Street, or perhaps opposite the Babidge house. Notice also reference to Dean's land in the deed from Hannah Crowninshield to E. H. Derby, in 1783.

Book 135, Page 43

Jan. 29, 1777

Mar. 21, 1777

Essex, ss. The Government and People of the Massachusetts Bay in New England.

Whereas Richard Derby of Salem in the County of Essex, Esquire, By the Consideration of our Justices of our Inferiour Court of Common Pleas holden at Salem for and within our County of Essex aforesaid, on the last Tuesday of December recovered judgment against Daniel Conant of said Salem, Mariner.

A Certain piece of Land in said Salem which was shown to us by the Creditor within named as the estate of the debtor within named and is bounded Southerly on the Main Street and there measures about 66 feet as the fence stands on said street; Easterly on Land late of Henry Elkins deceas., North-erly on the Common (so called) and Westerly on Land of Benjamin Ward which land & appurtenances we do appraise at 93 pounds. Also viewed half a wall pew in the meeting house in the East Parish in said Salem on the right handside of the western door which was shown us as the Estate of the Debtor within named by Richard Derby, Esq. the creditor within named, which we do appraise at eight pounds.

Note — This piece of land was on the north side of Essex Street,

between that street and the Common, and not far from the Babbidge house mentioned above. It may have adjoined that or the Hannah Crowninshield property, bought by E. H. Derby in 1791.

DEEDS TO ELIAS HASKET DERBY

Book 125, Page 192

Jan. 31, 1769

Feb. 13, 1769

Josias Adee of Salem, Labourer
to

Elias Hasket Derby of Salem, merchant

A piece of land in said Salem butting Southerly on the highway about 104 feet or 105 feet, Westerly on Land of Eleazer Giles 50 feet; Easterly on said Derby land 39 feet and North-erly on land I mortgaged to Samuel Gardner, Esq. about 104 feet, with the appurtenants. Reserving the private way from the highway to and by the East side of the house I now live in and to the Northern part of ye same house for the life of such persons as shall from time to time occupy said house and any part thereof.

Also all my right, estate, reversion, remainder, claim and demand whatsoever of in and to the Southermost part of a House with the land adjoining to the Southward & Western side of said part of said House and about half the Garden to the Eastward of said House, it being the Southermost half of said Garden and contains $7\frac{1}{2}$ poles and also half the Yard which is to lye in Common for the whole house with the appurtenants all in said Salem and the whole of the premises and appurtenants contained and that can be construed to be contained in a Deed of Mortgage dated on the 3rd day of August, 1773, recorded in the Registry of Deeds in said County Libro 114, Folio 96.

Note — This land lies next that bought by Richard Derby of Timothy Mansfield, in 1760, on which the little brick house was built the year Elias Hasket was married. It is interesting to note that nine years later he himself buys the piece next door and calls the previous purchase his land, but Adee keeps half of the house, though he conveys part of the yard and garden which presumably lay behind the house, away from Derby Street, and increased the narrow depth of the lot.

Book 130, Page 15

Apr. 3, 1771

Dec. 21, 1771

Rebecca Patterson of Salem, widow

to

Elias Hasket Derby of said Salem, merchant .

A piece of land in said Salem (it being part of the said Intestate's Real Estate) Butting Easterly on a ——— called Vealys Lane 120 feet, Southerly on ——— of Browne, Cook & Ingersoll 79 feet, Westerly on land of or in possession of Bethiah Ingersoll 120 feet and Northerly on land now or late of Samuel Smith 79 feet, with the privileges and appurtenants thereof.

Note — I have not identified Vealy's Lane, but this parcel of land seems from the names to adjoin that described in the Brown deed which follows and the deed from Mary Clifton *et al.*, of 1792.

Book 130, Page 16

Apr. 9, 1771

Dec. 21, 1771

John Brown of Salem, ship carpenter

to

Elias Hasket Derby of Salem aforesaid, merchant

A certain piece of land in said Salem containing about 27 poles bounded Southerly on a highway 48 feet, Easterly on a lane 9 poles and 5 feet, Northerly on Land of said Derby 48 feet, Westerly on Land of Lydia Cook 9 poles and 5 feet, with the appurtenances and privileges to the same belonging.

Book 130, Page 16

Apr. 13, 1771

Dec. 21, 1771

Benjamin Ives of Salem, mariner

to

Elias Hasket Derby of Salem aforesaid, merchant

A certain piece of land in said Salem commonly called the Block House Field which Benjamin Ives late of said Salem, grandfather of me the grantor, gave by his last will and testament to me and Anna Ives my sister now deceased, bounded Northerly on a road 500 feet, Easterly on the Town's Land 168 feet, Southerly on Salem Harbour 367 feet, Westerly on

Capt. Clifford Crowninshield's Land 347 feet, together with all my right in the Flatts and with appurtenances to the same belonging saving and excepting the privilege that the Town of Salem aforesaid have to the Easterly part of the premises.

Note — This land was down on the Neck, beyond the English property bought by Richard Derby in 1748, and should be considered with the Hilliard property, bought in 1752, and the John Ives property, purchased in 1758.

Book 130, Page 16

June 15, 1771

Dec. 21, 1771

John Elkins of Salem, mariner

to

Elias Hasket Derby of Salem aforesaid, merchant

A piece of land in Salem aforesaid bounded Southerly on the street leading from the Long Wharf (so called) to the Roap walk in said Salem 104 feet, Westerly on land of Eleazer Giles 127 feet, Northerly partly on Land of David Ropes, Jr., and partly on land of Timothy Mansfield 5 poles and 19 links of Gunten Chain, Eastwardly on Land of said Elias Hasket Derby 110 feet, with all the buildings on the same and appurtenances to the same belonging.

Note — It is difficult to see why this does not include the same piece of land which was bought from Josias Adee in 1769, but rather more to the north. Adee may have turned it over to Elkins with the part he then retained and Elkins may have deeded the eastern pieces to Derby, thus clearing up the title.

Book 136, Page 216

Feb. 8, 1779

Mar. 25, 1779

Timothy Mansfield of Salem, yeoman

to

Elias Hasket Derby

A piece of land in Salem aforesaid, beginning at the Southeast corner, to the Northeast corner of it the line measures 9 poles and 14 feet and bounds on land of the said Derby thence to the Northwest corner is 5 poles 13½ feet bounding on land of Richard Derby, Esq. and land late Ebenezer Tozers, thence to the said Southeast corner is 6 poles 4½ feet bounding on said

Elias Hasket Derby's land, containing about 60 poles more or less with the appurtenances.

Note — This appears to be the last missing piece which lay between the Josias Adees land, bought in 1769 by E. H. Derby, and the David Ropes land, bought by Richard Derby in 1774, and was formerly described as land of Eleazer Giles.

Book 137, Page 260

Feb. 4, 1780

Dec. 23, 1784

Isaac Williams of Salem, yeoman

to

Elias Hasket Derby of Salem aforesaid, merchant

A dwelling house in the Southfield so called in said Salem with the land it stands upon and the land adjoining to it containing about 25 poles butting Easterly and by North upon a highway $2\frac{1}{2}$ poles, South and by East on land of Josiah Howard ten poles, West and by South on land of Joseph Blaney $2\frac{1}{2}$ poles, North and by West on my own land ten poles, with the appurtenances.

Note — This may have been the old Derby place on Lafayette Street, in South Salem, which disappeared less than twenty-five years ago.

Book 139, Page 139

June 10, 1782

June 10, 1782

Samuel Epes of Danvers and Mary, his wife

to

Elias Hasket Derby of Salem, merchant

A certain piece of salt marsh and thatch bank lying at the riverhead, so called, lying between two creeks, containing one acre and one half acre be the same more or less and is bounded as follows: Beginning at the Southerly creek where the Northfield fence comes to the creek and from thence Northerly in the range of that fence across the marsh about 12 poles to the Northerly creek butting Westerly on Nathan Procter's land and on my own land or clay pit lane, so called, and Stephen Procter's land, then running Easterly on the said Northerly Creek runs until it meets with the Southerly Creek and thence Westerly as that runs to the fence aforesaid including

the land and flats to low water mark, butting Northerly and Easterly on Jones's land and Southerly on Osborne's land, with the privileges and appurtenances thereof.

The deed of the above to Dan Epes is recorded Book 94, Leaf 95.

Note — This piece of land evidently lay over in North Salem, utterly unconnected with any other purchases. It may have been a cow pasture for use after Derby moved to Washington Street.

Book 140, Page 150

Apr. 29, 1782

Mar. 14, 1783

Sarah Pickman of Salem, widow

to

Elias Hasket Derby of Salem aforesaid, merchant

Containing a brick dwelling house and about three quarters of an acre of land, be it more or less, adjoining and belonging thereto situate in Salem aforesaid and bounded Easterly on School Street, Southerly partly on Norris's land and partly on land of Gardner heirs and partly on Sander's land as the fence stands, Westerly as the fence stands on land of Ornes heirs, Northerly on the Street leading to the North Meeting House, together with the outhouses, buildings and appurtenances thereto belonging.

Note — This property was the fine brick mansion which stood till a dozen years ago on Washington Street, at the corner of Lynde Street, and was recently known as the Robert Brookhouse estate. It is to be noted that Elias Hasket Derby bought no dwelling house such as he would have cared to live in until this time, and that in 1782 he had just inherited his father's property. It seems a reasonable assumption that he lived in the brick Richard Derby house till this time.

Book 140, Page 219

Apr. 16, 1783

Apr. 28, 1783

William Pickman of Salem, merchant

to

Elias Hasket Derby of Salem aforesaid, merchant

A piece of land situate in the Ferry Lane in Salem and containing 5 acres be it more or less, bounded Northeasterly on the highway, Northwesterly on land of Skerry's heirs, South-

westerly on the North River and Southeasterly on land of Dudley Woodbridge, together with all the privileges thereunto belonging.

Note — A piece of land on North River toward Beverly Bridge, not connected with his other property.

Book 141, Page 92
Sept. 15, 1783
Sept. 17, 1783

Hannah Crowninshield of Salem, widow
to

Elias Hasket Derby of Salem, merchant

A parcel of land about 80 poles, be it more or less, situate in Salem aforesaid bounded Northerly on the highway, Easterly on land of Thomas Webb's heirs partly and partly on land of William Murray's heirs and partly on Dean's land, Southerly on land of Joshua Dodge, Westerly on Benjamin Knight's land and on land formerly of John Foot and on Peirce's land, with the appurtenances which piece of land was part of the Estate of my Father, Capt. Samuel Carlton deceased and came to me toward my part of said Estate.

Note — This land was probably south of Essex Street and west of Becket Street, perhaps opposite the house mentioned in Hannah Crowninshield's deed of 1791, given below, and connected with the lot on Becket Street mentioned therein.¹⁰

Book 143, Page 17
Dec. 6, 1784
Dec. 23, 1784

By an Act of the General Court the Estates of William Browne, Esq. late of Salem, in the County of Essex, an absentee and other persons therein named are forfeited to the use of the Government, we, Larkin Thorndike, Israel Hutchinson and Dummer Jewett Esquires all of said County, the Committee

to

Elias Hasket Derby of Salem aforesaid, merchant

The parcel of land in said Salem on part of which Lands the house late the Mansion of the said William Browne said parcel of land bounding Northerly on the main street to extend from Doct. Edw. Aug. Holyoke's Northwest corner of his home-

¹⁰ See below.

stead to the Northeast corner of Nathan Goodale's homestead and there measures 134 feet and 9 inches, then bounding Westerly on land of said Goodale 94 feet 6 inches by a line running from the street South one degree West then bounding Northerly on land of said Goodale 25 feet 6 inches then again Westerly on land of said Goodale 159 feet, this last line to run so as to fall 4 feet of the Northeast corner of the land of the distill house land belonging to the heirs of Coll. Pickman dec. then bounding Northerly on said distill house land 4 feet then Westerly on said distill house land 71 feet till it comes to the street by the South River, then bounding on said street 97 feet and 3 inches, then bounding Westerly on land of Paul Dudley Sargent, then Northerly on said Sargent's land 55 feet 9 inches, this line to extend East till it comes to land of Doct. Edward Augustus Holyoke, then bounding Easterly on said Holyoke's land 210 feet, this line to run North $4\frac{1}{2}$ degrees East 136 feet 6 inches from thence North $3\frac{1}{2}$ degrees East to the main street, together with the dwelling houses and all other buildings thereon and the appurtenances.

Note — This purchase and the following one from Paul Dudley Sargent gave Derby the large block of land extending from Essex Street to the river across Front Street, including Derby Square, on which he built the famous mansion in which he lived so short a time before his death.

Book 143, Page 17

Dec. 14, 1784

Dec. 23, 1784

Paul Dudley Sargent of Boston

to

Elias Hasket Derby of Salem

The following parcels of land in Salem aforesaid, to wit, one piece containing about 32 rods bounded Southerly on the Street by the South River 61 feet and 4 inches, Easterly on land of Edward Augustus Holyoke Esq. this line to run North $4\frac{1}{2}$ east and to extend so far North till it comes to land which said Derby bought of ye General Courts Committee bounding on the said Derby's land 55 feet 9 inches, then Westerly on said Derby's land till it comes to the street aforesaid.

Also a parcel of lands, wharves and flats bounded North on ye

said street 158 feet 6 inches West upon and quite home to ye wharf belonging to the heirs of Benj. Pickman Esq. deceased and East on ye land, wharf and flats of Israel Dodge and others to extend Southerly to low water mark, the premises being Lots No. 4, No. 6 and No. 7 which were assigned to me by a certain divisional deed recorded Book 142, Leaf 104.

Book 144, Page 22

Apr. 6, 1785

Apr. 6, 1785

Edward Britton of Salem in the County of Essex, trader
to

Elias Hasket Derby of Salem aforesaid, Esq.

A piece of land in the Southfield so called in Salem aforesaid containing about 14 acres more or less, bounded Northerly on land of the heirs of Mary West (formerly Mary Flint) deceased, Westerly on the road leading to Marblehead, Southerly on land of Daniel Ropes & Easterly & Southeasterly on the South River so called in Salem aforesaid, two-thirds of said land descended to me from my ancestors & the other third I bought of my sister.

Note — This land was probably across the street from the land bought in 1780 in South Salem.

Book 148, Page 154

May 12, 1787

July 21, 1787

Habakkuk Bowditch of Salem, mariner
to

Elias Hasket Derby of Salem aforesaid esquire

A certain piece of land situated in said Salem bounded Northerly on Derby Street so called, Easterly on Turner's Lane so called, Southerly on land of Thomas Bowditch and Westerly on land of Joseph White.

Note — This is a disconnected piece of land pretty well down Derby Street, and nearer the English property, but not connected with it.

Book 158, Page 195

Apr. 24, 1789

Nov. 10, 1794

Dudley Woodbridge of Salem, in the County of Essex and Commonwealth of Massachusetts, yeoman, and Dorcas his wife

to

Elias Hasket Derby Esq. of Salem and county and commonwealth aforesaid

A certain piece of land on the road leading from Salem to Beverly, bounded on a New road now laid out by the quarter session at their court holden in Ipswich April 1789 thirty feet, and on the land of the said Derby from the aforesaid road to the bank at the North River 750 feet, then 30 feet along the bank, then back to the road aforesaid 750 feet.

Note — Evidently this piece adjoined land bought of Pickman in 1783.

Book 152, Page 253

Mar. 20, 1791

Apr. 12, 1791

Hannah Crowninshield of Salem, widow admx. of Jacob Crowninshield, late of Salem, mariner

to

Elias Hasket Derby of Salem aforesaid, esquire

The following real estate; namely, the West end of a dwelling house late the mansion of said deceased with the land under and adjoining thereto and other buildings thereon bounded as follows: Beginning at the middle of the front door and running Westerly on the main street to Verrys land 30 feet or thereabouts, thence running Northerly by said Verrys land to the common or training field, 121 feet, thence Easterly by said common to land assigned to me as dower in said Jacobs estate 35 feet, thence Southerly on the last said land to a stake in the back yard near the back door and so running through the middle of the great entry to the middle of the front door, being the bounds first began at and also the small chamber over the front entry aforesaid with the liberty and privilege of using in common with the owners of the eastern part of said house the well necessary house in the garden the front door great entry and the stairs in said entry and also the stairs leading therefrom to the garret and also the use of the outer

cellar door and a passage thro the cellar under the eastern part of said house to the cellar under the said west end.

And also the following land being the eastward division of the garden belonging to said Mansion house bounded beginning at or near the gateway unto the yard on the street and running Easterly to land late John Babbages deceased about 31 feet and one inch hence Northerly by said Babbages said land to the said common about 128 feet 7 inches hence Westerly by said common to a stake about 34 feet and 4 inches hence Southerly thro the garden to the bounds first mentioned about 128 feet and 7 inches, the whole being situate in said Salem and also a lot or piece of land in the East Parish so called in said Salem bounded Easterly on Becketts Lane so called beginning at the corner of Thomas Dean's land and running Southerly by said lane to Knaps land about 4 poles hence Westerly on said Knaps' land to land in the possession of me the Hannah about 10 poles hence Northerly in the last said land to said Deans land 3 poles and 23 links of the chain, hence Easterly by said Deans land to bounds began at 9 poles and 12 links of the chain.

And also the reversion of all that estate which was lately said Jacobs and of which he died seized and which was assigned to me the said Hannah as and for any dower in his estate consisting of the eastern end or part of said Jacobs late mansion house and is bounded as follows namely beginning at the middle of the front door and running Easterly by the said street about 31 feet to land hereby conveyed to said Derby hence Northerly by the last said land to the said common to a stake hence Westerly by said common land about 31 feet hence Southerly by land hereby conveyed to said Derby hence Northerly by the last said land to the said common to a stake hence Westerly by said common land about 31 feet hence Southerly by land hereby conveyed to said Elias Hasket to the stake aforesaid in the backyard near the back door hence Southerly thro the middle of the great entry to the middle of the front door the bounds began at and also the use, liberty and privilege of the well necessary house front door the grant entry stairway to the garret in common with western part of said mansion house and the said Derby as owner of said west-

ern part is to have all the privileges as is before herein mentioned the whole being situate in said Salem and also the reversion of a pew which was also assigned to me as aforesaid in the last meeting house in said Salem, being a Floor Pew and is numbered 58 with the privileges and appurtenances to the whole of the foregoing belonging.

Note — This house, conveyed in two parts, with its garden across the street on Becket Street, was in the same block of houses between Essex Street and the Common as the Babbidge House mentioned in the deed to Richard Derby, dated 1757, but west of it. It was a smaller piece of land than the Babbidge lot. The house bought by Richard Derby from Billings Bradish, in 1774, was near by.

Book 158, Page 195

May 22, 1792

Nov. 10, 1794

Mary Clifton of Salem in the County of Essex, widow and Joseph Hovey of Boston in the County of Suffolk, paperstainer and Margaret Hovey, wife of said Joseph
to

Elias Hasket Derby of Salem aforesaid, Esquire

A certain piece of land situate in Salem aforesaid, bounding Southerly on the street or highway leading from the long wharf to the Eastern part of said Salem and there measuring 16 feet, Westerly on land of Capt. Simon Forrester and there measuring 168½ feet, Northerly on land of said Derby and there measuring 16 feet, and Easterly on said Derby's land and there measuring 168 feet and one-half, with the privileges and appurtenances to the same belonging.

Being that piece of land which John Brown and Elizabeth, his wife, conveyed to William Cook and Lydia, his wife, by deed dated Apr. 20, 1754, and which descended to said Mary and Margaret as heirs of said William and Lydia.

Note — This was another strip of land running up from Derby Street and probably west of the Ropes lot, bought in 1774, by Richard Derby. This and the Brown and Patterson deeds of 1771 may describe the site of the Custom House.

Book 155, Page 92

Sept. 6, 1792

Sept. 7, 1792

Eunice Fitch of Medford in the County of Middlesex, widow
to

Elias Hasket Derby, Benjamin Pickman, Edward Augustus Holyoke, Edward Pulling & John Fiske Esquires & William Gray, George Dodge, Nathaniel West & William Stearns, merchants, Samuel Robinson, gentleman & Esther Orne Paine, daughter of William Paine, Esquire, all of Salem in the County of Essex.

A lot of land in said Salem bounding Northerly on the Main Street 51 feet; Westerly on land of Edward Augustus Holyoke Esquire; Southerly on Felts land this line to extend so far East as to come to the lane or street leading from the Street first named to the South River, then Easterly on said lane about 29 feet; then Northerly on Rentalls lane 50 feet & then Easterly on said Rentalls land 120 feet, being a lot assigned & set off to me as an heir of Mary Sherburne deceased.

Book 155, Page 141

Dec. 11, 1792

Dec. 15, 1792

Jonathan Peele of Salem in the County of Essex in the Commonwealth of Massachusetts, merchant
to

John Fisk, Elias Hasket Derby, Benjamin Pickman, William Gray, junior, Jacob Ashton, William Pickman, Samuel Ward, Richard Manning, Isaac Osgood, John Treadwell, Esquires, Edward Allen, George Dodge, John Barr, William Orne, John Norris, Nathaniel West, Nathan Pierce, Jonathan Gardner, Jonathan Mason, Ebenezer Beckford, Jonathan Ingersoll, Joseph Peabody, Joseph Cabot, Simon Forrester, Joseph White, merchants, Robert Stone, Abel Lawrence, distillers, Walter Price Bartlet, auctioneer, Peter Lander, mariner, William Paine, physician, Elias Hasket Derby junior and Samuel Putnam, gentleman, all of Salem.

A certain piece of land and wharf situate in Salem aforesaid, bounding as follows, viz: Beginning at the Northwestern corner thereof, from thence running Southerly 53 feet more or less to the land or wharf formerly owned by Benjamin Pickman Esq. deceased, now owned by William Pickman Esq. and myself, bounding Westerly on the cove or dock, thence running Easterly 44 feet more or less up to the street leading

to William Gray junior Esq's. wharf leaving said street 20 feet wide, bounding Southerly on said land owned by William Pickman Esq. & myself, thence running Northerly 53 feet more or less to land formerly the Estate of Joseph Allen deceased, bounding Easterly on said street leaving the same 20 feet wide, thence running Westerly 34 feet more or less to said Northwesterly corner, bounding Northerly on said estate of Joseph Allen deceased.

Note — This and several later deeds are all to the proprietors of the Union Market. This is presented as a sample; the rest are omitted.

Book 160, Page 210

Oct. 31, 1793

Apr. 7, 1796

John Watson of Salem, in the County of Essex, schoolmaster, and Abigail, his wife, in her right, Rebecca Brown of Salem aforesaid, widow, Jacob Treadwell of Ipswich, in the County of Essex aforesaid, yeoman, and Elizabeth, his wife, in her right and Thomas Ashby of Salem aforesaid, mariner, and Mary, his wife, in her right to

Elias Hasket Derby of Salem aforesaid, esquire.

All our right, title, interest, claim and estate which we or either of us have in and to that small piece of land situate in said Salem, with the dwelling house and other buildings thereon and bounded as follows, Southerly on Derby Street, there so called, Easterly by land of said Elias Hasket Derby, Northerly by land of George Crowninshield, and Westerly by said George's land, and also in and to a wharf and flats situate in Salem aforesaid, and bounded Easterly by said Elias Hasket's wharf and flats, Northerly by said Derby Street, and this north line, is to extend Westerly from said Derby's wharf and land, to the West of an old platform, which is the Eastwardly bounds of land sold by us to Joseph White, and which Easterly bound is about 66 feet East from William Brown's land, Westerly by said Joseph White's wharf and flats, sold by us as aforesaid, and Southerly by the South River, with the appurtenances, it being part of the Estate of which Capt. John White lately died seized of, he the said Elias Hasket Derby being now in the actual and peaceable posses-

sion of the same released premises, together with all the ware-houses and other buildings on the above released premises.

Note — Another piece of land extending the Derby holding westward on Derby Street, with the wharf in front of it.

Book 157, Page 230

Aug. 18, 1794

Aug. 19, 1794

Benjamin Pickman of Salem, in the County of Essex & Commonwealth of Massachusetts, merchant,

to

Elias Hasket Derby of said Salem, merchant

My Mansion house in said Salem with the land under and adjoining the same, being bounded as follows: Beginning 9 inches from the Northeast corner of the house formerly belonging to John Barton deceased and thence running Easterly 67 feet 8 inches, being bounded Northerly on the main street, thence running Southerly 290 feet 9 inches, bounded Easterly partly on land of John Gardners heirs and partly on land of Thomas Landers, thence running Westerly 67 feet 9 inches, bounded Southerly on back street, thence running Northerly and in a line parallel to the line on the Eastern boundary of the premises 84 feet 9 inches bounded Westerly on land of the grantor, thence running Westerly 21 feet, bounded Southerly on land of the grantor, thence running North a little Easterly 217 feet 8 inches to the bounds first mentioned bounded Westerly a little Northerly on land of the grantor, together with the buildings thereon and the privileges and appurtenances thereof.

Note — This was the Pickman Mansion, just west of the Marine Hall, between Essex and Charter Streets, and was given to Anstis Derby on her marriage to Benjamin Pickman, junior.

Book 160, Page 13

Apr. 17, 1795

May 2, 1795

Miles Ward junior of Salem, in the County of Essex and Commonwealth of Massachusetts, merchant

to

Elias Hasket Derby of Salem aforesaid, Esquire

The following real estate, with the buildings thereon, situate

in Salem aforesaid and bounded as follows, beginning at the Southwest corner of the lot herein next described, at the corner of Derby Street, formerly Water Street, and of Herbert Street, formerly Derby's Lane, thence running Northerly by said Herbert Street until it comes to a place which is 60 feet distant, on said Herbert Street, from land now or late Mansfield's, which land of Mansfield's is the North bound of land which said Derby by his deed dated 16th instant conveyed to me said Ward, hence Easterly and parallel to said North bound and 60 feet distant therefrom to a point 6 feet distant from the East bound of land conveyed by said deed to me and as the East bound is therein described, hence Southerly and parallel to said East bound and 6 feet distant therefrom to said Derby Street, hence Westerly by said Derby Street to said Southwest corner, the bound begun at.

And also a wharf and flats lying Southerly and partly opposite to said first piece and is bounded Westerly by the wharf and flats which Richard Derby Esquire conveyed to his son Richard Derby junior Esquire, being on a line with the West side of said Herbert Street, Northerly by said Derby Street, and Easterly by a line which is 6 feet distant from the Eastern boundary of the same lot which said Elias conveyed in and by deed to me, said 6 feet being West of the said Eastern boundary.

And on the South side the same is to extend so far Southerly within the said East and West lines as I own flats South thereof and which are contained within the said East and West lines extended Southerly and even to the channel of the South River if any flats belonging to said wharf should extend so far, but not otherwise, it being my intention to fix on no Southern bound for said flats, but to sell all the flats which I own South of said wharf as aforesaid, the foregoing being part of such real estate as the said Elias Hasket Derby conveyed to me in fee simple by his said deed, bearing date the 16th day of April instand as may appear, reference being had thereto, together with the privileges and appurtenances belonging thereto.

Note — This deed is of great interest as showing the connection of the Derbys with Herbert Street, and also identifying the house that the elder Richard gave to Richard junior.

Book 159, Page 206

Dec. 7, 1795

Dec. 10, 1795

John Saunders of Salem, in the County of Essex, and Commonwealth of Massachusetts, Esquire

to

Elias Hasket Derby of Salem aforesaid, Esquire.

The following lot or piece of land situate in Salem aforesaid, with all the buildings thereon and bounded as follows, to wit, Southerly by Essex Street, Easterly by land of Jacob Ashton, Esquire, Northerly partly by land of George Smith and Charles Gowen and partly by land of Zechariah Burchmore, and Westerly by land of Captain John Gardner, with the appurtenances.

Note — This house and land were probably purchased for Ezekiel Hersey Derby to live in.

DEEDS FROM RICHARD DERBY

Book 94, Page 64

Aug. 28, 1747

Jan. 23, 1748

Richard Derby of Salem in the County of Essex, merchant

to

Samuel Ingersoll of said Salem, cooper & Sarah his wife, one of said daughters of Stephen Hasket late of Salem aforesaid, mariner, deceased,

My right & interest being four fifths of & in the Mansion House of the said Stephen & of that part of his homestead land thereto — adjoyning & belonging situate in said Salem, containing 44 poles & seven tenths, bounded as follows, viz: Beginning at a stake at ye Southwest corner of the Widow Smiths Land & ye Northwest Corner of William Phippens Land & is three poles & a half Southward from Benj. Mannings Land, thence running Westerly & butting Northerly on land this day released to me, two poles twelve feet & a half to a stake, thence running Southerly & butting Westerly on ye same Land nine poles one foot & four inches to a stake which stands two poles ten feet & nine inches Westerly from Eliza. Frosts Land, thence further Southerly by the Land Released to me eight poles & six inches to another stake by the Wharff

or the way, thence East Northerly two poles & fourteen feet to a stake (which stands twelve poles & five feet Southward from ye corner first mentioned) & thence Northerly partly by Land of Eliza. Frost & partly by Land of William Phippen to ye corner first mentioned with all ye Land & Flatts Southward of the same & thereto belonging to low water mark, also an open way of ten feet in width & three poles & a half in length beginning at ye Northwest corner of the premises & two poles ten feet & a half distance Westerly from Smiths Land & running Northerly to the way. Betwixt Beadles & Mannings Land & also free liberty from them and her heirs and assigns from time to time as they shall have occasion to use & improve so much of the land this day released to me at the Westerly End of their old House as shall be needfull to repair ye same house & all & singular the rights members privileges & appurtenances to the premises belonging.

Note — In 1742, Derby bought out Hannah Symmes and Benjamin Pickman, so he had got most of the Hasket property. Now apparently he turns it over to the Ingersolls.

Book 96, Page 214

Feb. 16, 1750

Feb. 14, 1752

Benj. Lynde, William Browne, Ichabod Plaisted, Saml. Barton & Joseph Bowditch, Esqs. Eben Bowditch, Tim Orne, Jonathan Gardner, Warwick Palfray, Rich. Derby & John Barton, merchants, all of Salem in said County of Essex

to

Nathaniel C. Archer of said Salem, gentleman

Twenty one twenty fourths of a Lot of Flatts in said Salem called or known by number two adjoining to ye Long Wharffe, bounded Northerly on a way of eight feet wide between this lot & lot number one, Easterly on ye *Hring* (?) that leads on to ye wharf forty six feet, Southerly on Lot number three to run back its whole breadth to ye westward unto ye proprietors bounds on Joseph Whitefoots Flatts of which lot number two the said Benjamin sells three twenty fourths, the said William two, the said Ichabod three, said Samuel one, said Joseph two, said Ebeneser two, said Timothy two, the said Jonathan two, the said Warwick two, the

said Richard one and ye said John one twenty fourth, with the privileges & appurtenances thereof.

Note — This deed shows Richard Derby as a joint owner of Union or Long Wharf, and the above flats are west of the wharf.

Book 99, Page 54

Jan. 23, 1753

Jan. 25, 1753

Richard Derby of Salem in ye County of Essex, merchant
to

Clifford Crowninshield of said Salem, merchant

A certain piece of land in Salem aforesaid, containing about an acre & an half, bounded Easterly on Land late of Benj. Ives, deed, Southerly on the South River or Harbour to low water mark, Westerly partly on said Crowninshield's land partly on Land of John Gavot & others & partly on Land of Edward Hilliard & Northerly on a highway, being all ye homestead Land whereof Joseph Hilliard father of ye said Edward lately died seized, with ye dwelling house Wharfe & Rope Walk or long house thereon standing & ye kettles, forelocks, wheels, bolts & all other tools used by Ropemakers therein or thereto belonging & which have been there used.

Also ye liberty of improving ye Way on the backside of said longhouse with carts or otherwise from ye highway aforesaid to ye Harbour or to ye said Crowninshield's Land before mentioned & all & singular the ways rights members & appurtenances thereof, the premises hereby granted being ye same which Edward Hilliard aforesaid conveyed to me on ye 20th day of Nov. last as appears by his deed to me of that date on record in ye office for ye Registry of Deeds & for said County.

Note — This simply passes along the Hilliard Rope Walk, bought in 1752.

Book 132, Page 162

Apr. 6, 1773

Jan. 21, 1774

Whereas Gamaliel Hodges, late of Salem in the County of Essex, cooper, deceased in his last will gave to his children Joseph Hodges, Gamaliel Hodges, John Hodges, Mary Derby, the wife of Richard

Derby, Ruth Allen, the wife of Edward Allen, Hannah Ives, afterward the wife of Nathaniel Archer, Anstis Hodges & his grandson David Ropes, to wit, to each of his said children one share (that is two fifteenths) & to said grandson half a share (that is one fifteenth) thereof; and after his decease the said Anstis died intestate in the lifetime of her mother, who is also since deceased intestate, to whom & to said Anstis, the children aforesaid now surviving & the representatives of such as are deceased & the said grandson are heirs; Now the said Joseph Hodges, merchant, Richard Derby, jun. Esqr. Elias Hasket Derby, merchant, John Derby, mariner, George Crowninshield, mariner & Mary his wife, John Prince, merchant & Martha, his wife & John Gardner the third merchant and Sarah his wife (the same Richard, Elias Hasket, John Derby, Mary, Martha & Sarah being children & heirs of Mary Derby aforesaid who is deceased) the said Edward Allen mariner & Ruth his wife, Bartholomew Putnam mariner & Sarah his wife, Samuel Ward, distiller & Priscilla his wife (the same Sarah & Priscilla being two of the children of Gamaliel Hodges deceased, son of said Gamaliel the deviser abovenamed,) the said Hannah Archer, who is now a widow, and the said David Ropes, cooper, all of said Salem,

to

John Hodges

A piece of land in said Salem, containing about two acres with the dwelling house thereon, bounded Westerly on the common or training field, Northerly on land of Joseph Hodges, Easterly on a cove & Southerly on land formerly John Ives's, now belonging to Samuel Webb, Nathaniel Richardson & the heirs of said Ives.

Note — Evidently this deed simply adjusts the title to the Hodges' homestead, a claim to which Derby's children got through his wife Mary Hodges. It is not strictly a deed from him but is of marked family interest.

Book 138, Page 187

Jan. 15, 1774

Mar. 29, 1781

Richard Derby of Salem in the County of Essex, merchant

to

Richard Derby, a minor, son of my son Richard Derby

A piece of land in said Salem, bounded Southerly on the main street, 73 feet & 8 inches, Westerly on land late of Samuel Sibley, deceased, now of John Higginson esq. 99 feet, Northerly on land late of Samuel Ropes, deceased, 39 feet &

Easterly on land of my own next described 68 feet & 6 inches, with the buildings thereon & the appurtenances; including all the land which formerly belonged to Roger & Samuel Derby & which they sold to Roger Peele, also another piece of land in said Salem adjoining to the former on which it is bounded Westerly 68 feet & 6 inches, Southerly on the main street 26 feet & 4 inches, Easterly on land late Samuel Ropes's now in the occupation of Benjamin Ropes 58 feet & Northerly on land late of said Samuel Ropes's, now in the occupation of Benjamin Ropes 26 feet, with the appurtenances, being the same land which formerly belonged to my father's grandfather Roger Derby.

Note — Richard Derby had purchased this ancestral estate the year before and now hands it on to his grandson, but it should be observed that the deed was not recorded till seven years later.

Book 142, Page 8

Feb. 16, 1781

Oct. 9, 1783

Richard Derby of Salem in the County of Essex esquire
to

Walter Price Bartlet of Salem aforesaid, merchant

One undivided twenty fourth part of the Long Wharf so called in Salem aforesaid, being lot number six & the western half of a certain warehouse & of the land & wharf under said half & all the wharf to the westward of the said warehouse which said wharf adjoineth to the aforesaid long wharf on the western side thereof with the privileges & rights to the premises belonging, particularly of a way for passing & re-passing to & from the same with carts & teams.

Book 138, Page 187

Mar. 3, 1781

Mar. 29, 1781

Richard Derby of Salem in the County of Essex
to

Richard Derby jun. of Salem aforesaid esq.

The dwelling house in which he now lives with the land under it & adjoining to it & the buildings thereon, all situate in said Salem near to the Long Wharff, bounded Easterly on the

lane which runs between the premises & my own Mansion house, Southerly upon the street in front of the house, Westerly on Long Wharfe lane so called, Northerly upon land of the grantee, together with the flatts & wharfe land belonging to the premises, that is to say the flatts extending Easterly so far only as the above mentioned eastern bounds of the house & land extend. Westerly so far only as the western bounds thereof extend. Southerly to low water mark.

Note—“My own Mansion house,” referred to above, is the Lindall house, bought in 1735, and the house above referred to was built on the Swasey lot, purchased in 1741, which doubtless had a house on it forty years later. If the Mansion House was the little brick house, this would refer to the David Ropes purchase of 1774, which was two blocks farther east. In the indenture which adjusted Richard Derby’s will in 1785, at least two mansion houses are mentioned, one to Richard junior’s children and the other to Elias Hasket. The Miles Ward deed to Elias Hasket Derby of 1795 seems to fix this property as west of Herbert Street. Moreover, “Long Wharf lane” is certainly Union Street

Book 143, Page 8

Mar. 3, 1781

Dec. 17, 1784

Received of my hon. father Richard Derby Esqr. a Deed of conveyance to me of the house & land whereon I now dwell in Salem, together with the wharf land & flats belonging thereto all conveyed to me by him & by me accepted as part of my portion of his estate & to be accounted for as such agreeable to the true intent of his will.

Richd. Derby jun.

See the Record of the Deed above referred to, Book 138, Leaf 187.

